

Franchise & Concession Review Committee Special Public Meeting
October 10, 2019

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SPECIAL PUBLIC MEETING
FRANCHISE AND CONCESSION REVIEW COMMITTEE
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Thursday, October 10, 2019
2:40 p.m.

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APPEARANCES:

Mayor:
Alexis Blane

Clerk:
Gregg Alleyne

Office of the Mayor:
Benjamin Furnas

Corporation Counsel:
Amrita Barth

Office of Management and Budget:
Yvonne Quintian

Comptroller:
John Katsorhis

Borough President of the Bronx:
Tom Lucania

Borough President of Manhattan:
Rosaura Mendez

Borough President of Brooklyn:
Jeff Lowell

Borough President of Staten Island:
Lashay Young

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MS. BLANE: Good afternoon. 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.

MS. BLANE: Here.

THE CLERK: Office of the Mayor.

MR. FURNAS: Here.

THE CLERK: Comptroller.

MR. KATSORHIS: 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.

MR. LUCANIA: Here.

THE CLERK: President, Borough of Brooklyn.

MS. LOWELL: Here.

THE CLERK: President, Borough of Manhattan.

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(No response.)

THE CLERK: Let the record reflect that the President, Borough of Manhattan is not present.

President, Borough of Queens.

(No response.)

THE CLERK: Let the record reflect that the President, Borough of Queens is not present.

President, Borough of Staten Island.

MS. YOUNG: Here.

MS. BLANE: Will the Clerk please call the first calendar item?

THE CLERK: New York City Department of Small Business Services Calendar Item No. 1: In the matter of the intent to seek Franchise and Concession Review Committee approval to utilize a different procedure to enter into a Sole Source Agreement with Greenlight, LLC for the non-exclusive use of city-owned trademarks on merchandise.

MS. BLANE: Is there a member who wishes to make a statement or ask a

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question on this matter?

(No response.)

MS. BLANE: If not, will a member
please make a motion to move this item?

MS. YOUNG: So moved.

MS. BLANE: Will another member
please second the motion?

MR. KATSORHIS: Second.

MS. BLANE: Will the Clerk please
take the vote.

THE CLERK: Mayor?

MS. BLANE: Aye.

THE CLERK: Office of the Mayor?

MR. FURNAS: Yes.

THE CLERK: Comptroller?

MR. KATSORHIS: Yes.

THE CLERK: Corporation Counsel?

MS. BARTH: Yes.

THE CLERK: Office of Management and
Budget?

MS. QUINTIAN: Yes.

THE CLERK: On behalf of the Borough
Presidents, President, Borough of Bronx.

MR. LUCANIA: Yes.

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THE CLERK: Calendar Item #1
resolution is adopted.

MS. BLANE: Will the clerk please
call the second calendar item?

THE CLERK: New York City Department
of Small Business Services Calendar Item
No. 2: In the matter of the intent to
seek Franchise and Concession Review
Committee approval to utilize a
different procedure to enter into a Sole
Source License Agreement with Gennaro
Jewelers, Inc. for the non-exclusive use
of city-owned trademarks on merchandise.

(Whereupon, the Manhattan Borough
President, Rosaura Mendez arrived.)

MS. BLANE: Is there a member who
wishes to make a statement or ask a
question on this matter?

(No response.)

MS. BLANE: If not, will a member
please make a motion to move this item?

MR. LUCANIA: So moved.

MS. BLANE: Will another member
please second the motion?

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MS. BARTH: Second.

MS. BLANE: Will the Clerk please
take the vote.

THE CLERK: Mayor?

MS. BLANE: Aye.

THE CLERK: Office of the Mayor?

MR. FURNAS: Yes.

THE CLERK: Comptroller?

MR. KATSORHIS: Yes.

THE CLERK: Corporation Counsel?

MS. BARTH: Yes.

THE CLERK: Office of Management and
Budget?

MS. QUINTIAN: Yes.

THE CLERK: On behalf of the Borough
Presidents, President, Borough of
Brooklyn?

MR. LOWELL: Yes.

THE CLERK: Calendar Item #2
resolution is adopted.

MS. BLANE: Will the clerk please
call the third calendar item?

THE CLERK: New York City Department
of Small Business Services Calendar Item

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No. 3: In the matter of the intent to

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seek Franchise and Concession Review

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Committee approval to utilize a

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different procedure to enter into a Sole

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Source agreement with New Era Cap Co,

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Inc. for the non-exclusive use of

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city-owned trademarks on merchandise.

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MS. BLANE: Is there a member who

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wishes to make a statement or ask a

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question on this matter?

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(No response.)

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MS. BLANE: If not, will a member

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please make a motion to move this item?

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MR. KATSORHIS: So moved.

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MS. BLANE: Will another member

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please second the motion?

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MS. YOUNG: Second.

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MS. BLANE: Will the Clerk please

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take the vote.

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THE CLERK: Mayor?

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MS. BLANE: Aye.

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THE CLERK: Office of the Mayor?

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MR. FURNAS: Yes.

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THE CLERK: Comptroller?

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MR. KATSORHIS: Yes.

THE CLERK: Corporation Counsel?

MS. BARTH: Yes.

THE CLERK: Office of Management and
Budget?

MS. QUINTIAN: Yes.

THE CLERK: On behalf of the Borough
Presidents, President, Borough of Bronx?

MS. YOUNG: Yes.

THE CLERK: Calendar Item No. 3
resolution is adopted.

We ask that the reporter make the
entire Special Public Meeting Agenda,
which was made publicly available and
distributed at this meeting, part of the
final record of this proceeding. That
completes the calendar.

MS. BLANE: Thank you. Meeting
adjourned.

(Thereupon, the meeting was
concluded at 2:43 p.m.)

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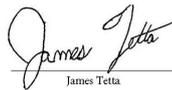
C E R T I F I C A T E
STATE OF NEW YORK)
: ss
COUNTY OF NASSAU)

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 10th day of October, 2019.



James Tetta

#1 6:2	benjamin 2:6	6:2,4,6 7:3,5,7,9,1 1,13,16,20,22,24	era 8:6	is 4:5,9,24 6:3,17 7:21 8:9 9:12 10:10,12 (10)
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SPECIAL PUBLIC MEETING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

THURSDAY OCTOBER 10, 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 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 Special Public Meeting
Thursday October 10, 2019 @ 2:30 P.M.*

NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES

No. 1: 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 enter into a non-exclusive, Sole Source License Agreement ("License Agreement") with Greenlight, LLC. ("Greenlight") for the non-exclusive use of city-owned trademarks on merchandise. The License Agreement will provide for a license term beginning on January 1, 2020 and shall continue through December 31, 2022 with an option for the City to renew the License Agreement, in its sole discretion, on substantially the same terms and conditions, for two (2) years. For each license year of the initial term, Greenlight shall pay (depending on the number of marks and types of marks used) royalties equal to seven percent (7%), four percent (4%) or twelve percent (12%) of Net Sales (as defined in the License Agreement). The License Agreement provides for a Guaranteed Minimum Royalty (as defined in the License Agreement) of thirty thousand dollars (\$30,000) to be paid on or before December 31, 2022.

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 enter into a non-exclusive, Sole Source License Agreement ("License Agreement") with Gennaro Jewelers, Inc. ("Gennaro") for the non-exclusive use of city-owned trademarks on merchandise. The License Agreement will provide for a license term beginning on January 1, 2020 and terminating on December 31, 2022 with an option for the City to renew the License Agreement, in its sole

discretion, on substantially the same terms and conditions, for two (2) years. For each license year of the initial term, Gennaro shall pay licensing fees equal to ten percent (10%) of Net Sales (as defined in the License Agreement) with a Guaranteed Minimum Royalty (as defined in the License Agreement) of ten thousand five hundred dollars (\$10,500) to be paid on or before December 31, 2022.

NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES

No. 3: **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 enter into a non-exclusive, Sole Source License Agreement (“License Agreement”) with New Era Cap Co, Inc. (“New Era”) for the non-exclusive use of city-owned trademarks on merchandise. The License Agreement will provide for a license term beginning on October 1, 2018 and shall continue through December 31, 2021 with an option for the City to renew the License Agreement, in its sole discretion, on substantially the same terms and conditions for two (2) years. For each license year of the initial term, New Era shall pay (depending on the number of marks and types of marks used) royalties equal to eleven percent (11%) of Net Sales when sold at wholesale, five and a half percent (5.5%) of Net Sales when sold in Consumer Channels, three percent (3%) of Net Sales when sold as Co-Branded at wholesale, and one and a half (1.5%) of Net Sales when sold as Co-Branded in Consumer Channels (all capitalized terms have the meanings as defined in the License Agreement). The License Agreement provides for a guaranteed minimum royalty of ten thousand dollars (\$10,000) covering the period from October 1, 2018 to December 31, 2021.