

Franchise & Concession Review Committee Public Hearing  
January 7, 2019

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

-----X

PUBLIC HEARING  
FRANCHISE and CONCESSION REVIEW COMMITTEE

-----X

January 7, 2019  
2:38 p.m.

2 Lafayette Street  
14th Floor Auditorium  
New York, New York

Julia M. Speros  
Court Reporter

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S :

Mayor:

Peter Hatch

Corporation Counsel:

Sharon Cantor

Office of Management and Budget:

Yvonne Quintian

Comptroller:

Jennifer Conovitz

Borough President of the Bronx:

Mirtha Camille Sabio

Borough President of Brooklyn:

Tonya Cantlo-Cockfield

Borough President of Queens:

Allan Swisher

Borough President of Staten Island:

Lashay Young

NYC Department of Parks and Recreation:

Alexander Han

Clerk:

Gemayel Jean-Paul

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

PROCEEDINGS

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.

(No response.)

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.

MS. SABIO: Here.

THE CLERK: President, Borough of  
Brooklyn.

MS. CANTLO-COCKFIELD: Here.

THE CLERK: President, Borough of  
Manhattan.

(No response.)

THE CLERK: President, Borough of

1 Queens.

2 MR. SWISHER: Here.

3 THE CLERK: President, Borough of  
4 Staten Island.

5 MS. YOUNG: Here.

6 MR. HATCH: Welcome to this Public  
7 Hearing of the Franchise and Concession  
8 Review Committee.

9 The hearing being conducted today  
10 has been publicly advertised in  
11 accordance with the New York City  
12 Charter and Concession Rules of the City  
13 of New York.

14 We want to be sure anyone desiring  
15 to be heard has an opportunity to do so.  
16 All persons wishing to speak must fill  
17 out a request slip, which may be  
18 obtained from the Clerk.

19 Each speaker will be allotted  
20 approximately three minutes. When you  
21 testify, please state your name and  
22 affiliation, if any.

23 You may also submit written  
24 testimony to the Clerk, which will be  
25 made part of the record. Any written

1           submissions must be given to the Clerk  
2           before the close of the public hearing.

3           Will the Clerk please call the first  
4           calendar item?

5           THE CLERK:   New York City Department  
6           of Parks and Recreation, Calendar Item  
7           number 1:   In the matter of intent to  
8           award as a concession for the  
9           development, operation and maintenance  
10          of a food service facility, and the  
11          operation of two mobile food units, at  
12          McCarren Park, Brooklyn, New York, for a  
13          20 year term, to McCarren Park House  
14          LLC.

15          Please be advised that at the  
16          request of the agency, this item will be  
17          held over to the February 11, 2019 FCRC  
18          Public Hearing, which will take place in  
19          the 14th Floor Auditorium of 2 Lafayette  
20          Street, Manhattan at 2:30 p.m.

21          Any changes in the schedule, which  
22          will result in a Public Hearing being  
23          scheduled prior to the February 11th  
24          FCRC Public Hearing, will be reflected  
25          in the City Record and the newspapers as

1 required by Section 371 of the New York  
2 City Charter.

3 MR. HATCH: Although this item has  
4 been held over, we'll take any  
5 statements from members of the Committee  
6 or the public.

7 (No response.)

8 MR. HATCH: If no one wishes to  
9 speak, the hearing on the first calendar  
10 item will be continued to the February  
11 FCRC Public Hearing.

12 Will the Clerk please call the  
13 second calendar item?

14 THE CLERK: New York City Department  
15 of Parks and Recreation, Calendar Item  
16 number 2: In the matter of intent to  
17 award as a concession for the  
18 development, operation and maintenance  
19 of a year-round tennis or sports  
20 facility at Willowbrook Park, Staten  
21 Island, for a 20 year term, to McCarren  
22 Tennis Center Partners, LLC.

23 MR. HATCH: Are there any members of  
24 the Committee that wish to make a  
25 statement?

1 MS. CONOVITZ: Actually, just a  
2 couple of questions for Parks.

3 The first, could Parks just let us  
4 know whether or not there are currently  
5 tennis -- ongoing tennis activities at  
6 this site?

7 MR. HAN: No, there are not.

8 MS. CONOVITZ: And have there been  
9 in the past?

10 MR. HAN: Years ago, yes.

11 MS. CONOVITZ: And could you just  
12 give us a bit of an overview of the work  
13 that's going to be done at this site?

14 MR. HAN: Sure. The concession  
15 calls for the renovation of the existing  
16 six courts, the construction of two  
17 additional courts, a clubhouse, and an  
18 enclosure, along with other improvements  
19 as outlined in Exhibit D of the License  
20 Draft.

21 MS. CONOVITZ: And that's extensive  
22 capital commitment?

23 MR. HAN: Yes, the amount -- the  
24 minimum capital expenditure requirement  
25 is 1.82 million.

1 MS. CONOVITZ: And could you give us  
2 a sense of how this differs from the  
3 operations that are in McCarren Park in  
4 Brooklyn that the proposed concession  
5 there operates?

6 MR. HAN: Well, a lot of it is  
7 really speculation. I don't think we  
8 can compare the two operations because  
9 they're very different.

10 We've never had a concession  
11 providing indoor tennis on Staten Island  
12 before, and so there is a level of risk  
13 that we're all assuming.

14 But the courts do need the  
15 renovations. There's only one indoor  
16 tennis facility on Staten Island that  
17 we're aware of, and so this will be the  
18 first ever venture for Parks and our  
19 concession on the island.

20 MS. CONOVITZ: Thank you.

21 MR. HATCH: Will the Clerk confirm  
22 there are no members of the public who  
23 wish testify on this item?

24 THE CLERK: Confirmed.

25 MR. HATCH: Then that concludes the

1 hearing on the second calendar item.

2 Will the Clerk please call the third  
3 calendar item?

4 THE CLERK: New York City Department  
5 of Parks and Recreation, Calendar Item  
6 number 3: In the matter of intent to  
7 award as a concession for the  
8 renovation, operation and maintenance of  
9 a snack bar at the Heckscher Ballfields  
10 in Central Park, Manhattan, New York,  
11 for a nine year term with a six month  
12 renewal option exercisable at Parks'  
13 sole discretion, to Panda Bubble Tea CP  
14 LLC.

15 MR. HATCH: Any members of the  
16 Committee wish to make a statement or  
17 ask a question?

18 (No response.)

19 MR. HATCH: Any members of the  
20 public?

21 (No response.)

22 MR. HATCH: If no one else wishes to  
23 speak, that concludes today's hearing.

24 We ask that the reporter make the  
25 entire Public Hearing Agenda, which was

1           made publicly available and distributed  
2           at this hearing, part of the final  
3           record of the proceeding.

4           The hearing is now closed. Thank  
5           you.

6           (Time noted: 2:44 p.m.)

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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 7th day of January, 2019.

  
\_\_\_\_\_  
Julia M. Speros

<b>11th</b> 5:23	<b>assuming</b> 8:13	<b>can</b> 8:8	(10)	<b>distributed</b> 10:1
<b>14th</b> 1:13 5:19	<b>auditorium</b> 1:13 5:19	<b>cantlocockfield</b> 2:11 3:21	<b>concludes</b> 8:25 9:23	<b>done</b> 7:13
<b>7th</b> 11:19	<b>available</b> 10:1	<b>cantor</b> 2:5 3:12	<b>conducted</b> 4:9	<b>draft</b> 7:20
<b>accordance</b> 4:11	<b>award</b> 5:8 6:17 9:7	<b>capital</b> 7:22,24	<b>confirm</b> 8:21	<b>duly</b> 11:8
<b>action</b> 11:14	<b>aware</b> 8:17	<b>center</b> 6:22	<b>confirmed</b> 8:24	<b>each</b> 4:19
<b>activities</b> 7:5	<b>ballfields</b> 9:9	<b>central</b> 9:10	<b>conovitz</b> 2:8 3:10 7:1,8,11,21 8:1,20 (8)	<b>else</b> 9:22
<b>actually</b> 7:1	<b>bar</b> 9:9	<b>certification</b> 11:2	<b>construction</b> 7:16	<b>enclosure</b> 7:18
<b>additional</b> 7:17	<b>because</b> 8:8	<b>certify</b> 11:6,12	<b>continued</b> 6:10	<b>entire</b> 9:25
<b>advertised</b> 4:10	<b>before</b> 5:2 8:12	<b>changes</b> 5:21	<b>corporation</b> 2:4 3:11	<b>ever</b> 8:18
<b>advised</b> 5:15	<b>being</b> 4:9 5:22	<b>charter</b> 4:12 6:2	<b>could</b> 7:3,11 8:1	<b>exercisable</b> 9:12
<b>affiliation</b> 4:22	<b>bit</b> 7:12	<b>city</b> 4:11,12 5:5,25 6:2,14 9:4 (7)	<b>counsel</b> 2:4 3:11	<b>exhibit</b> 7:19
<b>afternoon</b> 3:2	<b>blood</b> 11:14	<b>clerk</b> 2:17 3:4,5,7 ,9,11,13,16,19,22, 25 4:3,18,24 5:1,3,5 6:12,14 8:21,24 9:2,4 (23)	<b>court</b> 1:20	<b>existing</b> 7:15
<b>agency</b> 5:16	<b>borough</b> 2:9,10,12,13 3:16,19,22,25 4:3 (9)	<b>close</b> 5:2	<b>courts</b> 7:16,17 8:14	<b>expenditure</b> 7:24
<b>agenda</b> 9:25	<b>bronx</b> 2:9 3:17	<b>closed</b> 10:4	<b>cp</b> 9:13	<b>extensive</b> 7:21
<b>ago</b> 7:10	<b>brooklyn</b> 2:10 3:20 5:12 8:4 (4)	<b>clubhouse</b> 7:17	<b>currently</b> 7:4	<b>facility</b> 5:10 6:20 8:16
<b>alexander</b> 2:15	<b>bubble</b> 9:13	<b>come</b> 3:3	<b>day</b> 11:19	<b>ferc</b> 5:17,24 6:11
<b>allan</b> 2:12	<b>budget</b> 2:6 3:14	<b>commitment</b> 7:22	<b>department</b> 2:15 5:5 6:14 9:4 (4)	<b>february</b> 5:17,23 6:10
<b>allotted</b> 4:19	<b>c</b> 2:2	<b>committee</b> 1:5 4:8 6:5,24 9:16 (5)	<b>desiring</b> 4:14	<b>fill</b> 4:16
<b>along</b> 7:18	<b>calendar</b> 5:4,6 6:9,13,15 9:1,3,5 (8)	<b>compare</b> 8:8	<b>development</b> 5:9 6:18	<b>final</b> 10:2
<b>also</b> 4:23	<b>call</b> 3:4 5:3 6:12 9:2 (4)	<b>comptroller</b> 2:7 3:9	<b>differs</b> 8:2	<b>first</b> 5:3 6:9 7:3 8:18 (4)
<b>although</b> 6:3	<b>calls</b> 7:15	<b>concession</b> 1:5 4:7,12 5:8 6:17 7:14 8:4,10,19 9:7	<b>discretion</b> 9:13	<b>floor</b> 1:13 5:19
<b>am</b> 11:12,15	<b>camille</b> 2:9			<b>food</b> 5:10,11
<b>amount</b> 7:23				<b>forth</b> 11:8
<b>anyone</b> 4:14				<b>franchise</b> 1:5 4:7
<b>approximately</b> 4:20				<b>further</b> 11:12
<b>ask</b> 9:17,24				

<b>gemayel</b> 2:17	<b>island</b> 2:13 4:4 6:21 8:11,16,19 (6)	<b>may</b> 4:17,23	<b>noted</b> 10:6	9:5 (7)
<b>give</b> 7:12 8:1		<b>mayor</b> 2:3 3:5,7	<b>now</b> 3:3 10:4	<b>parks'</b> 9:12
<b>given</b> 5:1 11:10	<b>item</b> 5:4,6,16 6:3,10,13,15 8:23 9:1,3,5 (11)	<b>mccarren</b> 5:12,13 6:21 8:3 (4)	<b>number</b> 5:7 6:16 9:6	<b>part</b> 4:25 10:2
<b>going</b> 7:13		<b>members</b> 6:5,23 8:22 9:15,19 (5)	<b>nyc</b> 2:15	<b>parties</b> 11:13
<b>good</b> 3:2	<b>january</b> 1:11 11:19	<b>million</b> 7:25	<b>obtained</b> 4:18	<b>partners</b> 6:22
<b>han</b> 2:15 7:7,10,14,23 8:6 (6)	<b>jeanpaul</b> 2:17	<b>minimum</b> 7:24	<b>office</b> 2:6 3:7,13	<b>past</b> 7:9
<b>hand</b> 11:19	<b>jennifer</b> 2:8	<b>minutes</b> 4:20	<b>one</b> 6:8 8:15 9:22	<b>persons</b> 4:16
<b>has</b> 4:10,15 6:3	<b>julia</b> 1:20 11:4	<b>mirtha</b> 2:9	<b>ongoing</b> 7:5	<b>peter</b> 2:3
<b>hatch</b> 2:3 3:2,6 4:6 6:3,8,23 8:21,25 9:15,19,22 (12)	<b>just</b> 7:1,3,11	<b>mobile</b> 5:11	<b>only</b> 8:15	<b>place</b> 5:18
<b>heard</b> 4:15	<b>know</b> 7:4	<b>month</b> 9:11	<b>operates</b> 8:5	<b>please</b> 3:4 4:21 5:3,15 6:12 9:2 (6)
<b>hearing</b> 1:4 3:3 4:7,9 5:2,18,22,24 6:9,11 9:1,23,25 10:2,4 (15)	<b>lashay</b> 2:14	<b>ms</b> 3:10,12,15,18,21 4:5 7:1,8,11,21 8:1,20 (12)	<b>operation</b> 5:9,11 6:18 9:8 (4)	<b>pm</b> 1:2 5:20 10:6
<b>heckscher</b> 9:9	<b>let</b> 7:3	<b>must</b> 4:16 5:1	<b>operations</b> 8:3,8	<b>president</b> 2:9,10,12,13 3:16,19,22,25 4:3 (9)
<b>held</b> 5:17 6:4	<b>level</b> 8:12	<b>my</b> 11:19	<b>opportunity</b> 4:15	<b>prior</b> 5:23
<b>hereby</b> 11:6	<b>license</b> 7:19	<b>name</b> 4:21	<b>option</b> 9:12	<b>proceeding</b> 10:3
<b>herein</b> 11:8	<b>llc</b> 5:14 6:22 9:14	<b>need</b> 8:14	<b>order</b> 3:3	<b>proceedings</b> 3:1
<b>hereunto</b> 11:18	<b>lot</b> 8:6	<b>never</b> 8:10	<b>other</b> 7:18	<b>proposed</b> 8:4
<b>house</b> 5:13	<b>made</b> 4:25 10:1	<b>new</b> 1:13,13 4:11,13 5:5,12 6:1,14 9:4,10 11:5 (11)	<b>out</b> 4:17	<b>providing</b> 8:11
<b>how</b> 8:2	<b>maintenance</b> 5:9 6:18 9:8	<b>newspapers</b> 5:25	<b>outcome</b> 11:16	<b>public</b> 1:4 3:3 4:6 5:2,18,22,24 6:6,11 8:22 9:20,25 11:4 (13)
<b>improvements</b> 7:18	<b>make</b> 6:24 9:16,24	<b>nine</b> 9:11	<b>outlined</b> 7:19	<b>publicly</b> 4:10 10:1
<b>indoor</b> 8:11,15	<b>management</b> 2:6 3:13	<b>no</b> 3:8,24 6:7,8 7:7 8:22 9:18,21,22 11:15 (10)	<b>over</b> 5:17 6:4	<b>queens</b> 2:12 4:1
<b>intent</b> 5:7 6:16 9:6	<b>manhattan</b> 3:23 5:20 9:10	<b>notary</b> 11:4	<b>overview</b> 7:12	<b>question</b> 9:17
<b>interested</b> 11:16	<b>marriage</b> 11:15		<b>p</b> 2:2,2	<b>questions</b> 7:2
	<b>matter</b> 5:7 6:16 9:6 11:17 (4)		<b>panda</b> 9:13	<b>quintian</b> 2:6 3:15
			<b>park</b> 5:12,13 6:20 8:3 9:10 (5)	
			<b>parks</b> 2:15 5:6 6:15 7:2,3 8:18	

<b>really</b> 8:7	<b>sense</b> 8:2	<b>take</b> 5:18 6:4	<b>we'll</b> 6:4	<b>years</b> 7:10
<b>record</b> 4:25 5:25 10:3 11:10 (4)	<b>service</b> 5:10	<b>tea</b> 9:13	<b>we're</b> 8:13,17	<b>yes</b> 7:10,23
<b>recreation</b> 2:15 5:6 6:15 9:5 (4)	<b>set</b> 11:8,19	<b>tennis</b> 6:19,22 7:5,5 8:11,16 (6)	<b>we've</b> 8:10	<b>york</b> 1:13,13 4:11,13 5:5,12 6:1,14 9:4,10 11:5 (11)
<b>reflected</b> 5:24	<b>sharon</b> 2:5	<b>term</b> 5:13 6:21 9:11	<b>welcome</b> 4:6	<b>young</b> 2:14 4:5
<b>related</b> 11:13	<b>signature</b> 11:23	<b>testify</b> 4:21 8:23	<b>well</b> 8:6	<b>yvonne</b> 2:6
<b>renewal</b> 9:12	<b>site</b> 7:6,13	<b>testimony</b> 4:24 11:7,10	<b>when</b> 4:20	<b>230</b> 5:20
<b>renovation</b> 7:15 9:8	<b>six</b> 7:16 9:11	<b>thank</b> 8:20 10:4	<b>whereof</b> 11:18	<b>244</b> 10:6
<b>renovations</b> 8:15	<b>slip</b> 4:17	<b>there's</b> 8:15	<b>whether</b> 7:4	<b>371</b> 6:1
<b>reporter</b> 1:20 9:24	<b>snack</b> 9:9	<b>they're</b> 8:9	<b>which</b> 4:17,24 5:18,21 9:25 (5)	<b>2019</b> 1:11 5:17 11:20
<b>request</b> 4:17 5:16	<b>sole</b> 9:13	<b>think</b> 8:7	<b>who</b> 8:22	
<b>required</b> 6:1	<b>speak</b> 4:16 6:9 9:23	<b>third</b> 9:2	<b>whose</b> 11:7	
<b>requirement</b> 7:24	<b>speaker</b> 4:19	<b>three</b> 4:20	<b>will</b> 3:3,4 4:19,24 5:3,16,18,22,24 6:10,12 8:17,21 9:2 (14)	
<b>response</b> 3:8,24 6:7 9:18,21 (5)	<b>speculation</b> 8:7	<b>time</b> 10:6	<b>willowbrook</b> 6:20	
<b>result</b> 5:22	<b>speros</b> 1:20 11:4	<b>today</b> 4:9	<b>wish</b> 6:24 8:23 9:16	
<b>review</b> 1:5 4:8	<b>sports</b> 6:19	<b>today's</b> 9:23	<b>wishes</b> 6:8 9:22	
<b>risk</b> 8:12	<b>state</b> 4:21 11:5	<b>tonya</b> 2:11	<b>wishing</b> 4:16	
<b>roll</b> 3:4	<b>statement</b> 6:25 9:16	<b>transcript</b> 11:9	<b>within</b> 11:5,9	
<b>rules</b> 4:12	<b>statements</b> 6:5	<b>true</b> 11:9	<b>witness</b> 11:7,11,18	
<b>sabio</b> 2:9 3:18	<b>staten</b> 2:13 4:4 6:20 8:11,16 (5)	<b>two</b> 5:11 7:16 8:8	<b>work</b> 7:12	
<b>said</b> 11:10	<b>street</b> 1:2 5:20	<b>units</b> 5:11	<b>written</b> 4:23,25	
<b>schedule</b> 5:21	<b>submissions</b> 5:1	<b>us</b> 7:3,12 8:1	<b>x</b> 1:2,7	
<b>scheduled</b> 5:23	<b>submit</b> 4:23	<b>venture</b> 8:18	<b>year</b> 5:13 6:21 9:11	
<b>second</b> 6:13 9:1	<b>sure</b> 4:14 7:14	<b>very</b> 8:9	<b>yearround</b> 6:19	
<b>section</b> 6:1	<b>swisher</b> 2:12 4:2	<b>want</b> 4:14		
	<b>sworn</b> 11:8	<b>way</b> 11:15		

**PUBLIC HEARING**

**FRANCHISE AND CONCESSION REVIEW COMMITTEE**

**MONDAY, JANUARY 7, 2019 @ 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](mailto: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  
Monday, January 7, 2019 @ 2:30 P.M.*

**NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION**

**No. 1:** IN THE MATTER of intent to award as a concession for the development, operation and maintenance of a food service facility, and the operation of two (2) mobile food units, at McCarren Park, Brooklyn, New York, for a twenty (20) year term, to McCarren Park House LLC ("Licensee"). Compensation to the City will be as follows: for each Operating year of the License Agreement, Licensee shall pay the City a fee consisting of the higher of a guaranteed minimum annual fee versus a percentage of Gross Receipts, as follows (Year 1: \$50,000 vs 10% of Gross Receipts; Year 2: \$51,500 vs 10% of Gross Receipts; Year 3: \$53,045 vs 10% of Gross Receipts; Year 4: \$54,636 vs 10% of Gross Receipts; Year 5: \$56,275 vs 10% of Gross Receipts; Year 6: \$57,963 vs 10% of Gross Receipts; Year 7: \$59,702 vs 10% of Gross Receipts; Year 8: \$61,493 vs 10% of Gross Receipts; Year 9: \$63,338 vs 10% of Gross Receipts; Year 10: \$65,238 vs 10% of Gross Receipts; Year 11: \$67,195 vs 10% of Gross Receipts; Year 12: \$69,211 vs 10% of Gross Receipts; Year 13: \$71,288 vs 10% of Gross Receipts; Year 14: \$73,426 vs 10% of Gross Receipts; Year 15: \$75,629 vs 10% of Gross Receipts; Year 16: \$77,898 vs 10% of Gross Receipts; Year 17: \$80,235 vs 10% of Gross Receipts; Year 18: \$82,642 vs 10% of Gross Receipts; Year 19: \$85,121 vs 10% of Gross Receipts; Year 20: \$87,675 vs 10% of Gross Receipts).

**NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION**

**No. 2:** IN THE MATTER of the intent to award as a concession for Development, Operation, and Maintenance of a year-round tennis or sports facility at Willowbrook Park, Staten Island, for a twenty (20) year term, to McCarren Tennis Center Partners, LLC. Compensation to the City will be as follows: for each year of the License Agreement, McCarren Tennis Center Partners, LLC. shall pay the City a fee consisting of consisting of the higher of the minimum annual fee or the percentage of annual Gross Receipts derived from the operation of the Licensed Premises according to the following schedule:

<u>OPERATING YEAR</u>	<u>MINIMUM ANNUAL FEE</u>	vs.	<u>PERCENTAGE OF GROSS RECEIPTS</u>
Year 1	\$18,000		2%
Year 2	\$21,000		4%
Year 3	\$24,000		6%
Year 4	\$27,000		8%
Year 5	\$30,000		10%
Year 6	\$36,000		11%
Year 7	\$39,000		12%
Year 8	\$42,000		12%
Year 9	\$42,000		12%
Year 10	\$45,000		13%
Year 11	\$45,000		13%
Year 12	\$45,000		13%
Year 13	\$48,000		14%
Year 14	\$48,000		14%
Year 15	\$48,000		14%
Year 16	\$52,000		15%
Year 17	\$52,000		15%
Year 18	\$52,000		15%
Year 19	\$55,000		15%
Year 20	\$55,000		15%

**NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION**

**No. 3:**        **IN THE MATTER** of the intent to award as a concession for the renovation, operation and maintenance of a snack bar at the Heckscher Ballfields in Central Park, Manhattan, New York, for a nine (9) year term with a six (6) month renewal option exercisable at Parks’ sole discretion, to Panda Bubble Tea CP LLC. Compensation to the City will be as follows: for each operating year of the license, Panda Bubble Tea CP LLC shall pay the City a fee consisting of the higher of a guaranteed minimum annual fee versus a percentage of Gross Receipts, as follows (Year 1: \$85,000 vs 14% of Gross Receipts; Year 2: \$89,200 vs 14% of Gross Receipts; Year 3: \$93,700 vs 14% of Gross Receipts; Year 4: \$98,400 vs 14.5% of Gross Receipts; Year 5: \$103,300 vs 14.5% of Gross Receipts; Year 6: \$108,500 vs 14.5% of Gross Receipts; Year 7: \$113,900 vs 15% of Gross Receipts; Year 8: \$119,600 vs 15% of Gross Receipts; Year 9: \$125,600 vs 15% of Gross Receipts; Year 10 (6 months only, if option exercised by Parks): \$66,000 vs 15% of Gross Receipts).