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FRANCHISE AND CONCESSION REVIEW COMMITTEE

REMOTE SPECIAL PUBLIC MEETING

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September 30, 2021

2:40 p.m. p.m.

REMOTE SPECIAL PUBLIC MEETING  
VIA MICROSOFT TEAMS CONFERENCE CALL

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

Mayor: Kate Cocklin

Office of the Mayor: Julie Bero

Corporation Counsel: Kenisha Sutton

Office of Management and Budget: Yvonne Quintian

Comptroller: Jennifer Conovitz

Parks and Recreation: Alexander Han

Bronx Borough President: Mirtha Camille Sabio

Brooklyn Borough President: Tonya Cantlo

Manhattan Borough President: Rosaura Mendez

Queens Borough President: Allan Swisher

Staten Island Borough President: Stephen Caracappa

Clerk: Gregg Alleyne

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THE CLERK: Hello, and good  
afternoon. This is Gregg Alleyne,  
clerk for the FCRC. Before we get  
started with today's proceedings, I  
would like to confirm that everyone  
can hear me clearly.

Can everyone hear me clearly?  
(Chorus of yeses.)

THE CLERK: Today's meeting is  
being held via Microsoft Teams  
conference call, and we ask that all  
attendees announce their name for the  
record each time they speak on the  
call for ease of transcription. If  
you are not speaking, we ask that you  
mute your microphone to avoid  
background noises during the call.  
Only one person should be speaking at  
any given time. I will direct, should  
there be any conflict.

Chair, we are ready to begin.

THE CHAIR: Good afternoon and  
thank you all for being here. My name  
is Kate Cocklin, Chair of the FCRC.

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The Franchise and Concession Review  
Committee Remote Special Public  
Hearing will now come to order.

Will the Clerk please call the  
roll.

THE CLERK: Apologies. I would  
like to make a change to the record.  
This is a Special Public Meeting. And  
it will now come to order.

Mayor?

MS. COCKLIN: Kate Cocklin,  
here.

THE CLERK: Office of the Mayor?

MS. BERO: Julie Bero, here.

THE CLERK: Comptroller?

MS. CONOVITZ: Jennifer  
Conovitz, here.

THE CLERK: Corporation Counsel?

MS. SUTTON: Kenisha Sutton,  
present.

THE CLERK: Office of Management  
and Budget?

MS. QUINTIAN: Yvonne Quintian,  
present.

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THE CLERK: President, Borough  
of the Bronx?

MS. SABIO: Mirtha Camille  
Sabio, here.

THE CLERK: President, Borough  
of Brooklyn?

MS. CANTLO: Tonya Cantlo for  
Brooklyn Borough President, Eric  
Adams, present.

THE CLERK: President, Borough  
of Manhattan?

MS. MENDEZ: Rosie Mendez for  
Manhattan Borough President, Gale  
Brewer, present.

THE CLERK: President, Borough  
of Queens?

MR. SWISHER: Allan Swisher for  
Queens Borough President, Donovan  
Richards, present.

THE CLERK: President, Borough  
of Staten Island?

MR. CARACAPPA: Stephen  
Caracappa for Borough President, James  
Oddo.

1  
2 THE CHAIR: Will the Clerk  
3 please call the first calendar item?

4 THE CLERK: New York City  
5 Department of Parks and Recreation,  
6 Calendar Item Number One: In the  
7 matter of the intent to seek Franchise  
8 and Concession Review Committee  
9 approval to utilize a different  
10 procedure, pursuant to Section 1-16 of  
11 the Concession Rules of the City of  
12 New York, to enter into a Sole Source  
13 License Agreement with Statue Cruises,  
14 LLC for the operation and maintenance  
15 of passenger ferry for the purpose of  
16 embarking and discharging passengers  
17 on a regular schedule between The  
18 Battery, Liberty Island and Ellis  
19 Island, and for the purpose of  
20 embarking and discharging passengers  
21 of vessels on sightseeing cruises and  
22 other ferry operations, which may  
23 include but are not limited to day and  
24 night charters of vessels owned,  
25 operated or chartered by Statue

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Cruises, LLC at landing slips and adjacent walkways located in The Battery, Manhattan.

THE CHAIR: Is there a member who wishes to make a statement or ask a question on this matter?

MS. CONOVITZ: The Comptroller's Office would like to make a statement.

THE CLERK: Please identify yourself for the record.

MS. CONOVITZ: Jennifer Conovitz on behalf of the Comptroller's Office.

THE CLERK: You may proceed.

MS. CONOVITZ: Thank you.

I would like to share concern on behalf of New York City Comptroller, Scott M. Stringer, regarding this Department of Parks and Recreation's new Sole Source License Agreement with Statue Cruises, LLC, as well as the path used to bring this item to the FCRC and the public for a hearing and vote.

The recent Step One approval was

1  
2 based on the understanding that the  
3 term of the City's new license  
4 agreement with Statue Cruises would  
5 begin on March 1, 2021, which is the  
6 date immediately following the  
7 expiration of the prior National Parks  
8 Service Agreement with Statue Cruises,  
9 and is also consistent with the  
10 executed second renewal agreement  
11 between Parks and Statue Cruises that  
12 our office reviewed in 2020.

13 We just learned that Parks  
14 submitted a new second renewal  
15 agreement to our office today.  
16 However, we do not yet know the  
17 contents of the submission, nor did we  
18 have time to review the content prior  
19 to today's 2:30 meeting. While Parks  
20 and the administration maintained that  
21 the expiration date of the second  
22 renewal has been extended to  
23 September 30th, 2021, which would  
24 eliminate a potential sum gap between  
25 the new agreement and the old one, the



1  
2 legal basis for this change is unclear  
3 to us.

4 We requested an additional time  
5 be taken so Parks, the public and the  
6 FCRC can thoroughly review all  
7 pertinent documents, and ensure not  
8 only the continued availability of  
9 ferry service to these very popular  
10 tourist areas, but the residents of  
11 the City are entitled to receive  
12 through the license term.

13 We also note that it is not  
14 clear what a minimum annual fee listed  
15 for each year in the proposed license  
16 agreement does not agree. It is  
17 important to know so that the  
18 Committee may make an informed  
19 decision and vote appropriately.

20 We ask that this vote be held  
21 over to the next regularly public  
22 meeting. However, if you are to push  
23 for a vote today, given the concerns  
24 our office has raised and the limited  
25 transparency to the public and the

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FCRC, we must abstain.

THE CHAIR: Thank you.

Is there another member who  
wishes to make a statement or ask a  
question on this matter?

(No response.)

THE CHAIR: All right. Will a  
member please make a motion to move  
this item?

MS. SUTTON: Kenisha Sutton. I  
move the item.

THE CHAIR: Will another member  
please second the motion?

MS. QUINTIAN: Yvonne Quintian.  
Second.

THE CHAIR: Thank you.  
Will the Clerk please take the  
vote?

THE CLERK: Mayor?

MS. COCKLIN: Kate Cocklin, yes.

THE CLERK: Office of the Mayor?

MS. BERO: Julie Bero. Yes.

THE CLERK: Comptroller?

MS. CONOVITZ: Abstain.

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THE CLERK: Corporation Counsel?

MS. SUTTON: Kenisha Sutton.

Yes.

THE CLERK: Office of Management  
and Budget?

MS. QUINTIAN: Yvonne Quintian.

Yes.

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

MS. MENDEZ: I'm sorry. I was  
muted before. I'm going to explain  
our vote. We are abstaining for all  
the issues raised by the Comptroller's  
office. But also a great concern  
about the lack of notice to the public  
and the fact that this is not the  
first time that we've encountered this  
issue.

Having said that, we abstain.

THE CLERK: Calendar Item Number  
One, resolution is adopted.

We ask that the reporter make  
the entire remote Special Public

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Meeting agenda, which was made  
publicly available and distributed at  
this meeting, part of the final record  
of this proceeding.

That completes the Calendar.

THE CHAIR: Thank you. Meeting  
adjourned.

(TIME NOTED: 3:01 p.m.)

C E R T I F I C A T E

STATE OF NEW YORK)

:SS

COUNTY OF SUFFOLK)

I, Elbia Baires, a Notary Public within  
and for the State of New York, do hereby certify:

I reported the proceedings in the  
within-entitled matter, and that the within  
transcript is a true record of such proceedings to  
the best of my ability.

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 8th day of October, 2021.



Elbia Baires

<b>30th</b> 8:23	<b>another</b> 10:4,13	<b>blood</b> 13:15	<b>city</b> 6:4,11 7:17 9:11 (4)	(8)
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