

In Re February FCRC Public Hearing NYC - Mayor`s Office of
Contract Services (MOCS)
February 13, 2024

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PUBLIC HEARING
FRANCHISE AND CONCESSION REVIEW COMMITTEE
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2 Lafayette Street
New York, New York

DATE: February 13, 2024
TIME: 2:30 p.m.

PUBLIC HEARING in the above-referenced
matter, held at the above time and place,
transcribed by Sabrina Brown Stewart, a Notary
Public of the State of New York.

In Re February FCRC Public Hearing NYC - Mayor`s Office of
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February 13, 2024

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

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3 Chair/Mayor:
4 ALLISON STODDART

5 Clerk:
6 KIMBERLY EGBERT

7 Office of the Mayor:
8 OLIVIA ARNOW

9 Office of Management and Budget:
10 YVONNE QUINTIAN

11 Corporation Counsel:
12 MATTHEW BRIDGE

13 Comptroller:
14 RICKY DA COSTA

15 Borough President of Brooklyn:
16 GREGORY LOUIS

17 Borough President of Manhattan:
18 PETER TORREY

19 Representative - Department of Parks and Recreation:
20 ALEXANDER HAN

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1 CHAIR STODDART: Good afternoon and
2 thank you all for being here. My name is
3 Allison Stoddart, Chair for the FCRC. The
4 Franchise and Concession Review Committee
5 Public Hearing will now come to order.

6 Will the Clerk please call the roll.

7 THE CLERK: Mayor?

8 CHAIR STODDART: Allison Stoddart,
9 present.

10 THE CLERK: Office of the Mayor?

11 MS. ARNOW: Olivia Arnow, present.

12 THE CLERK: Comptroller?

13 MR. DA COSTA: Ricky Da Costa, present.

14 THE CLERK: Corporation Counsel?

15 MR. BRIDGE: Matthew Bridge, present.

16 THE CLERK: Office of Management and
17 Budget?

18 MS. QUINTIAN: Yvonne Quintian,
19 present.

20 THE CLERK: President, Borough of the
21 Bronx?

22 (No response).

23 THE CLERK: Let the record reflect,
24 President, Borough of the Bronx is not
25 present.

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1 President, Borough of Brooklyn?

2 MR. LOUIS: Gregory Louis for Brooklyn
3 Borough President, Antonio Reynoso, present.

4 THE CLERK: President, Borough of
5 Manhattan?

6 MR. TORREY: Peter Torrey for Manhattan
7 Borough President, Mark Levine.

8 THE CLERK: President, Borough of
9 Queens?

10 (No response).

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

13 President, Borough of Staten Island?

14 (No response).

15 THE CLERK: Let the record reflect
16 President, Borough of Staten Island is not
17 present.

18 Representative, Department of Parks and
19 Recreation?

20 MR. HAN: Alexander Han for New York
21 City Parks, here.

22 CHAIR STODDART: Welcome to this public
23 hearing of the Franchise and Concession
24 Review Committee. The hearing being
25 conducted today has been publicly advertised

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1 in accordance with the New York City Charter
2 and Concession Rules of the City of New York.
3 We want to be sure that anyone desiring to be
4 heard has an opportunity to do so. All
5 persons wishing to speak must fill out a
6 request slip, which may be obtained from the
7 Clerk. Those registered will be called upon
8 to testify after their calendar item has been
9 called.

10 You may also submit written testimony
11 to the Clerk, which will be made part of the
12 record. Any written submissions can be given
13 to the Clerk at the close of the public
14 hearing or can be e-mailed to
15 F-C-R-C@M-O-C-S.N-Y-C.G-O-V before the end of
16 today. All written testimony will be
17 provided to the Committee for their review
18 and consideration.

19 Will the Clerk please call the first
20 calendar item.

21 THE CLERK: New York City Department of
22 Parks and Recreation, Calendar Item Number 1:
23 In the matter of the intent to award a
24 concession agreement to South Shore Golf LLC
25 for the renovation, operation, and

1 maintenance of the South Shore Golf Course,
2 in the Borough of Staten Island. The license
3 will provide for one 20-year term.

4 CHAIR STODDART: Changes to the
5 concession documents have been distributed to
6 the Committee. And so, DPR will now read
7 those changes into the record.

8 MR. HAN: Thank you so much, Chair.

9 So, the summary of changes for this
10 license agreement: First, general
11 reformatting throughout the license agreement
12 document, minor grammatical edits throughout,
13 none with impact to the original meaning.
14 And then, going on to Section 2.1P, the
15 definition of surcharge fee was updated to
16 reflect that after April 1, 2024, the fee
17 will remain at \$5 for the remainder of the
18 term.

19 Going on to Section 4.1, the chart of
20 payments to the City was updated to reflect
21 that after April 1, 2024, the \$5 surcharge
22 fee will not be increased for the remainder
23 of the term. Section 4.2, a sentence was
24 added to reflect that the surcharge will not
25 be increased from \$5 for the remainder of the

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1 term. Section 10.34, only the first sentence
2 of the provision would remain. The rest of
3 the section would be deleted. Section 10.36,
4 it's a section that was added to allow for
5 corporate events. Section 10.37, the
6 section was deleted, which allowed for a
7 monthly subscription model. Section 10.38,
8 the section was added to reword the
9 requirement for the concession that would be
10 responsible for ERC golf balls.

11 That concludes the changes.

12 CHAIR STODDART: Thank you. We will
13 take testimony from the public. But first,
14 I'd like to ask the members of the Committee
15 if they have any statements?

16 (No response).

17 CHAIR STODDART: We will now begin
18 hearing testimony from the public. As a
19 reminder, everyone will have three minutes to
20 testify. Please be respectful of other
21 speakers' time and be courteous when
22 providing testimony.

23 Will the Clerk please call the next
24 person who wishes to testify.

25 THE CLERK: We have now heard all of

1 the testimony on this calendar item.

2 CHAIR STODDART: Will the Clerk please
3 call the second calendar item.

4 THE CLERK: New York City Department of
5 Parks and Recreation, Calendar Item Number 2:
6 In the matter of the intent to award a
7 concession agreement to LaTourette Golf LLC
8 for the renovation, operation, and
9 maintenance of the LaTourette Golf Course, in
10 the Borough of Staten Island. The license
11 will provide for one 20-year term.

12 CHAIR STODDART: Changes to the
13 concession documents have been distributed to
14 the Committee. And so, the Department of
15 Parks and Recreation will now read those
16 changes into the record.

17 MR. HAN: Thank you.

18 The summary of the changes are general
19 reformatting throughout the license agreement
20 document, including minor grammatical edits
21 throughout, none of which would impact the
22 original meaning. Moving on to Section 2.1P,
23 the definition of the surcharge fee was
24 updated to reflect that the fee is \$4 until
25 March 31, 2024, and \$5 thereafter for the

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1 remainder of the term. Section 4.1, the
2 chart of payments to the City was updated to
3 reflect a \$4 surcharge until March 31, 2024,
4 and \$5 thereafter for the remainder of the
5 term. Section 4.2, a sentence was added to
6 reflect the surcharge will not be increased
7 from \$5 for the remainder of the term.

8 Section 5.1, the section was updated to
9 remove the requirement the licensee use an
10 auditor from a list of prequalified auditors.

11 Section 6.16, the section removed the
12 requirement that Parks would refund to
13 licensees the unused balance of any
14 construction security deposit provided to the
15 City. Section 6.21, the section was
16 rewritten to require the licensee remit funds
17 from the Capital Reserve Fund to Parks and to
18 allow for crediting for capital work done.

19 Section 10.12B, the section was changed so
20 that where event advertising has not been
21 approved by Parks, such event being canceled
22 rather than the agreement being terminated.

23 Section 10.34, similar to the prior
24 South Shore agreement, only the first
25 sentence would remain, and the rest of the

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1 provision would be deleted. Section 10.36,
2 the section was deleted, which allowed for a
3 monthly subscription model. Section 10.38,
4 the section was added to reword the
5 requirement of the concession that would be
6 responsible for ERC golf balls.
7 Section 10.20 -- Section 20.7, the
8 requirement of a \$2 million insurance
9 aggregate for liquor liability was removed.
10 And Exhibit C, at the back of the agreement,
11 the exhibit was changed to reflect a \$5
12 surcharge beginning April 1, 2024.

13 That concludes the changes.

14 CHAIR STODDART: Thank you.

15 We will take testimony from the public.
16 But first, I'd like to ask the members of the
17 Committee if they have any statements?

18 (No response).

19 CHAIR STODDART: Will the Clerk please
20 call the next person who wishes to testify.

21 THE CLERK: We have now heard all
22 testimony on this calendar item.

23 CHAIR STODDART: Thank you.

24 Will the Clerk please call the third
25 calendar item.

1 THE CLERK: New York City Department of
2 Parks and Recreation, Calendar Item Number 2:
3 In the matter of the intent to award a
4 concession agreement to Tour Central Park,
5 Inc., doing business as Bike Rent NYC, for
6 the development, operation, and maintenance
7 of bicycle rental stations at various
8 locations in Manhattan with the option for
9 future Manhattan locations. The license will
10 provide for one seven-year term.

11 CHAIR STODDART: We will take testimony
12 from the public. But first, I'd like to ask
13 the members of the Committee if they have any
14 statements?

15 (No response).

16 CHAIR STODDART: Will the Clerk please
17 call the next person who wishes to testify.

18 THE CLERK: We have now heard all
19 testimony on this calendar item.

20 CHAIR STODDART: Thank you.

21 Before we conclude, I want to ask if
22 any of the agencies presenting calendar items
23 today have any statements for the record,
24 prior to the close of the hearing?

25 MR. HAN: No, thank you.

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1 CHAIR STODDART: If no one else wishes
2 to speak, that concludes today's hearing.

3 We ask that the reporter make the
4 entire public hearing agenda, which was made
5 publicly available and distributed at this
6 hearing, part of the final record of the
7 proceeding. The hearing is now closed.

8 Thank you.

9 (TIME NOTED: 2:40 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)

:SS

COUNTY OF QUEENS)

I, Sabrina Brown Stewart, 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 on this 29th day of February, 2024.

Sabrina Brown Stewart
Sabrina Brown Stewart