

Franchise & Concession Review Committee Public Hearing
February 11, 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

February 11, 2019
2:36 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

Office of the Mayor:
Benjamin Furnas

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.

MR. FURNAS: Here.

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: Let the record reflect

1 the President, Borough of Manhattan is
2 not present.

3 President, Borough of Queens.

4 MR. SWISHER: Here.

5 THE CLERK: President, Borough of
6 Staten Island.

7 MS. YOUNG: Here.

8 MR. HATCH: Welcome to this Public
9 Hearing of the Franchise and Concession
10 Review Committee. The hearing being
11 conducted today has been publicly
12 advertised in accordance with the New
13 York City Charter and Concession Rules
14 of the City of New York.

15 We want to make sure that anyone
16 desiring to be heard has an opportunity
17 to do so. All persons wishing to speak
18 must fill out a request slip, which may
19 be obtained from the Clerk. Each
20 speaker will be allotted approximately
21 three minutes.

22 When you testify, please state your
23 name and any affiliation. You may also
24 submit written testimony to the Clerk
25 which will be made part of the record.

1 Any written submissions must be given to
2 the Clerk before the close of the
3 hearing.

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

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

16 MR. HATCH: We'll take testimony
17 from the public, but first any members
18 of the Committee have statements or
19 questions?

20 (No response.)

21 MR. HATCH: Any testimony?

22 (No response.)

23 MR. HATCH: If no one else wishes to
24 speak, that concludes the hearing on the
25 first calendar item.

1 Will the Clerk please call the
2 second calendar item?

3 THE CLERK: New York City Department
4 of Parks and Recreation, Calendar Item
5 Number 2: In the matter of the intent
6 to award as a concession for the
7 development, operation and maintenance
8 of programming and visitor services at
9 the Brooklyn War Memorial in Cadman
10 Plaza Park, Brooklyn, with the option of
11 the development, operation and
12 maintenance of a cafe at Cadman Plaza
13 Park, Brooklyn, for a 15 year term, to
14 The Landing at Cadman LLC.

15 MR. HATCH: Any members of the
16 Committee have comments or statements?

17 (No response.)

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

20 (No response.)

21 MR. HATCH: That concludes the
22 hearing on the second calendar item.

23 Will the Clerk please call the third
24 calendar item?

25 THE CLERK: New York City Department

1 of Parks and Recreation, Calendar Item
2 Number 3: In the matter of the intent
3 to award as a concession for the
4 operation and maintenance of a parking
5 lot at Manhattan Beach Park, identified
6 as Block 8760, Lot 485 in the Borough of
7 Brooklyn, located at Oriental Boulevard
8 and Irwin Street, for one seven-season
9 term to City University of New York,
10 Kingsborough Community College.

11 MR. HATCH: Any statements or
12 questions from the Committee members?

13 (No response.)

14 MR. HATCH: Public?

15 (No response.)

16 MR. HATCH: All right. Well, that
17 concludes today's hearing.

18 We ask that the reporter make the
19 entire Public Hearing Agenda, which was
20 made publicly available and distributed
21 at this hearing, part of the final
22 record of the proceeding. The hearing
23 is now closed. Thank you.

24 (Time noted: 2:40 p.m.)

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 11th day of February, 2019.



Julia M. Speros

11th 8:19	3:16,19,22 4:1,3,5 7:6 (11)	come 3:3	february 1:11 8:19	intent 5:8 6:5 7:2
14th 1:13	boulevard 7:7	comments 6:16	fill 4:18	interested 8:16
accordance 4:12	bronx 2:10 3:17	committee 1:5 4:10 5:18 6:16 7:12 (5)	final 7:21	irwin 7:8
action 8:14	brooklyn 2:12 3:20 5:13 6:9,10,13 7:7 (7)	community 7:10	first 5:4,17,25	island 2:15 4:6
advertised 4:12	budget 2:7 3:14	comptroller 2:9 3:9	floor 1:13	item 5:5,7,25 6:2,4,22,24 7:1 (8)
affiliation 4:23	c 2:2	concession 1:5 4:9,13 5:9 6:6 7:3 (6)	food 5:11,12	jeanpaul 2:19
afternoon 3:2	cadman 6:9,12,14	concludes 5:24 6:21 7:17	forth 8:8	jennifer 2:9
agenda 7:19	cafe 6:12	conducted 4:11	franchise 1:5 4:9	julia 1:20 8:4
alexander 2:17	calendar 5:5,7,25 6:2,4,22,24 7:1 (8)	conovitz 2:9 3:10	furnas 2:5 3:8	kingsborough 7:10
allan 2:14	call 3:4 5:4 6:1,23 (4)	corporation 2:6 3:11	further 8:12	lafayette 1:2
allotted 4:20	camille 2:11	counsel 2:6 3:11	gemayel 2:19	landing 6:14
also 4:23	cantlocockfield 2:12 3:21	court 1:20	given 5:1 8:10	lashay 2:15
am 8:12,15	cantor 2:6 3:12	day 8:19	good 3:2	let 3:25
anyone 4:15	certification 8:2	department 2:16 5:6 6:3,25 (4)	han 2:17	llc 5:15 6:14
approximately 4:20	certify 8:6,12	desiring 4:16	hand 8:19	located 7:7
ask 7:18	charter 4:13	development 5:10 6:7,11	has 4:11,16	lot 7:5,6
auditorium 1:13	city 4:13,14 5:6 6:3,25 7:9 (6)	distributed 7:20	hatch 2:3 3:2,6 4:8 5:16,21,23 6:15,18,21 7:11,14,16 (13)	made 4:25 7:20
available 7:20	clerk 2:18 3:4,5,7 ,9,11,13,16,19,22, 25 4:5,19,24 5:2,4,6 6:1,3,23,25 (21)	duly 8:8	heard 4:16	maintenance 5:10 6:7,12 7:4 (4)
award 5:9 6:6 7:3	close 5:2	each 4:19	hearing 1:4 3:3 4:9,10 5:3,24 6:22 7:17,19,21,22 (11)	make 4:15 7:18
beach 7:5	closed 7:23	else 5:23	hereby 8:6	management 2:7 3:13
before 5:2	college 7:10	entire 7:19	herein 8:8	manhattan 3:23 4:1 7:5
being 4:10		facility 5:11	hereunto 8:18	marriage 8:15
benjamin 2:5			house 5:14	matter 5:8 6:5 7:2 8:17 (4)
block 7:6			identified 7:5	may 4:18,23
blood 8:14				
borough 2:10,12,13,15				

<p>mayor 2:3,4 3:5,7 (4)</p> <p>mccarren 5:13,14</p> <p>members 5:17 6:15,18 7:12 (4)</p> <p>memorial 6:9</p> <p>minutes 4:21</p> <p>mirtha 2:11</p> <p>mobile 5:12</p> <p>ms 3:10,12,15,18,21 4:7 (6)</p> <p>must 4:18 5:1</p> <p>my 8:19</p> <p>name 4:23</p> <p>new 1:13,13 4:12,14 5:6,13 6:3,25 7:9 8:5 (10)</p> <p>no 3:24 5:20,22,23 6:17,20 7:13,15 8:15 (9)</p> <p>notary 8:4</p> <p>noted 7:24</p> <p>now 3:3 7:23</p> <p>number 5:8 6:5 7:2</p> <p>nyc 2:16</p> <p>obtained 4:19</p> <p>office 2:4,7 3:7,13 (4)</p> <p>one 5:23 7:8</p>	<p>operation 5:10,12 6:7,11 7:4 (5)</p> <p>opportunity 4:16</p> <p>option 6:10</p> <p>order 3:3</p> <p>oriental 7:7</p> <p>out 4:18</p> <p>outcome 8:16</p> <p>p 2:2,2</p> <p>park 5:13,14 6:10,13 7:5 (5)</p> <p>parking 7:4</p> <p>parks 2:16 5:7 6:4 7:1 (4)</p> <p>part 4:25 7:21</p> <p>parties 8:13</p> <p>persons 4:17</p> <p>peter 2:3</p> <p>plaza 6:10,12</p> <p>please 3:4 4:22 5:4 6:1,23 (5)</p> <p>pm 1:2 7:24</p> <p>present 4:2</p> <p>president 2:10,12,13,15 3:16,19,22 4:1,3,5 (10)</p> <p>proceeding 7:22</p> <p>proceedings 3:1</p> <p>programming</p>	<p>6:8</p> <p>public 1:4 3:3 4:8 5:17 6:19 7:14,19 8:4 (8)</p> <p>publicly 4:11 7:20</p> <p>queens 2:13 4:3</p> <p>questions 5:19 7:12</p> <p>quintian 2:8 3:15</p> <p>record 3:25 4:25 7:22 8:10 (4)</p> <p>recreation 2:16 5:7 6:4 7:1 (4)</p> <p>reflect 3:25</p> <p>related 8:13</p> <p>reporter 1:20 7:18</p> <p>request 4:18</p> <p>response 3:24 5:20,22 6:17,20 7:13,15 (7)</p> <p>review 1:5 4:10</p> <p>right 7:16</p> <p>roll 3:4</p> <p>rules 4:13</p> <p>sabio 2:11 3:18</p> <p>said 8:10</p> <p>second 6:2,22</p> <p>service 5:11</p> <p>services 6:8</p>	<p>set 8:8,19</p> <p>sevensession 7:8</p> <p>sharon 2:6</p> <p>signature 8:23</p> <p>slip 4:18</p> <p>speak 4:17 5:24</p> <p>speaker 4:20</p> <p>speros 1:20 8:4</p> <p>state 4:22 8:5</p> <p>statements 5:18 6:16 7:11</p> <p>staten 2:15 4:6</p> <p>street 1:2 7:8</p> <p>submissions 5:1</p> <p>submit 4:24</p> <p>sure 4:15</p> <p>swisher 2:14 4:4</p> <p>sworn 8:8</p> <p>take 5:16</p> <p>term 5:14 6:13 7:9</p> <p>testify 4:22</p> <p>testimony 4:24 5:16,21 8:7,10 (5)</p> <p>thank 7:23</p> <p>third 6:23</p> <p>three 4:21</p> <p>time 7:24</p>	<p>today 4:11</p> <p>today's 7:17</p> <p>tonya 2:12</p> <p>transcript 8:9</p> <p>true 8:9</p> <p>two 5:12</p> <p>units 5:12</p> <p>university 7:9</p> <p>visitor 6:8</p> <p>want 4:15</p> <p>war 6:9</p> <p>way 8:15</p> <p>we'll 5:16</p> <p>welcome 4:8</p> <p>well 7:16</p> <p>when 4:22</p> <p>whereof 8:18</p> <p>which 4:18,25 7:19</p> <p>whose 8:7</p> <p>will 3:3,4 4:20,25 5:4 6:1,23 (7)</p> <p>wishes 5:23</p> <p>wishing 4:17</p> <p>within 8:5,9</p> <p>witness 8:7,11,18</p> <p>written 4:24 5:1</p> <p>x 1:2,7</p>
---	--	--	--	--

<p>year 5:14 6:13</p> <p>york 1:13,13 4:13,14 5:6,13 6:3,25 7:9 8:5 (10)</p> <p>young 2:15 4:7</p> <p>yvonne 2:8</p> <p>240 7:24</p> <p>485 7:6</p> <p>2019 1:11 8:20</p> <p>8760 7:6</p>				
---	--	--	--	--

PUBLIC HEARING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

MONDAY, FEBRUARY 11, 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 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, February 11, 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 the development, operation, and maintenance of programming and visitor services at the Brooklyn War Memorial in Cadman Plaza Park, Brooklyn, with the option of the development, operation, and maintenance of a café at Cadman Plaza Park, Brooklyn, for a fifteen (15) year term, to The Landing at Cadman LLC ("Licensee"). Compensation under the License Agreement will be as follows: Licensee shall pay to City license fees for each Year, 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: Year 1: \$50,000.00 vs. 12%; Year 2: \$53,500.00 vs. 12%; Year 3: \$57,245.00 vs. 12%; Year 4: \$61,252.15 vs. 12%; Year 5: \$65,539.80 vs. 12%; Year 6: \$70,127.59 vs. 12%; Year 7: \$75,036.52 vs. 12%; Year 8: \$80,289.07 vs. 12%; Year 9: \$85,909.31 vs. 12%; Year 10: \$91,922.96 vs. 12%; Year 11: \$98,357.57 vs. 12%; Year 12: \$105,242.60 vs. 12%; Year 13: \$112,609.58 vs. 12%; Year 14: \$120,492.25 vs. 12%; Year 15: \$128,926.71 vs. 12%.

NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION

No. 3: **IN THE MATTER** of the intent to award as a concession for the operation and maintenance of a parking lot at Manhattan Beach Park, identified as Block 8760, Lot 485 in the Borough of Brooklyn, located at Oriental Boulevard and Irwin Street, for one (1) seven-season term to City University of New York, Kingsborough Community College. Compensation to the City will be as follows: Operating Season 1 (Sept. 9, 2019 - May 12, 2020): \$114,000; Operating Season 2 (Sept. 14, 2020 – May 10, 2021): \$114,000; Operating Season 3 (Sept. 13, 2021 - May 9, 2022): \$114,000; Operating Season 4 (Sept. 12, 2022 - May 8, 2023): \$114,000; Operating Season 5 (Sept. 11, 2023 - May 12, 2024): \$114,000; Operating Season 6 (Sept. 9, 2024 – May 11, 2025): \$114,000, Operating Season 7 (Sept. 15, 2022 – May 10, 2026): \$114,000.