

Franchise and Concession Review Committee Public Meeting
June 12, 2019

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PUBLIC MEETING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

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22 Reade Street

Spector Hall

New York, New York 10007

Wednesday, June 12, 2019

2:33 p.m.

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A P P E A R E 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
- Department of Transportation: RACHELL FRUMIN
- Brooklyn Borough President: TONYA CANTLO-COCKFIELD
- Manhattan Borough President: ROSIE MENDEZ
- Queens Borough President: IRVING POY
- Staten Island Borough President: LASHAY YOUNG
- Clerk: GREGG ALLEYNE

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PROCEEDING

MR. HATCH: Good afternoon. And I 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 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?

(No response.)

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

President, Borough of Brooklyn?

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PROCEEDING

MR. CANTLO-COCKFIELD: Here.

THE CLERK: President, Borough of
Manhattan?

MS. MENDEZ: Here.

THE CLERK: President, Borough of
Queens?

MR. POYSTATEN: Here.

THE CLERK: President, Borough of
Staten Island?

MS. YOUNG: Here.

MR. HATCH: Will the Clerk please
call the first Calendar item.

THE CLERK: New York City Department
of Citywide Administrative Services,
Calendar Item Number 1:

In the matter of the intent to award
as a sole source concession the
operation of dry boat storage docking of
no more than eight jet skis, and
business accessory parking in the
Borough of Brooklyn, to Emmons Avenue
Marina, LLC., for a retroactive
three-year term commencing on April 15,
2015.

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PROCEEDING

Please be advised that at the request of the agency this item will be held over to a subsequent FCRC public meeting.

MR. HATCH: Will you please call the second Calendar item.

THE CLERK: New York City Department of Transportation, Calendar Item Number 2:

In the matter of the intent to award as a concession a Sole Source License Agreement to the Meatpacking District Management Association, Inc., to provide for the operation, management, and maintenance of pedestrian plazas located in the Borough of Manhattan. Meatpacking BID will be required to invest any revenue generated by this concession into the maintenance and/or repair, including reasonable administrative costs of the Licensed Plaza.

The license will provide for one, six-month term, commencing upon written

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PROCEEDING

Notice to Proceed, which may be renewed for up to three additional five-year terms, exercisable at the sole discretion of DOT.

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

MS. MENDEZ: Can you hear me, there is no button there?

So I'm just wondering if we know what might be revenue generating for the bid, and if there is nothing that would generate revenue, then how do they maintain the plaza?

MS. FRUMIN: So If I understand the question, you wanted to know how would that revenue be generated?

MS. MENDEZ: Correct.

MS. FRUMIN: So the revenue would be generated by three different sources: Special events and special events and -- based on fees that would be collected, through the fees from the special events and --

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PROCEEDING

MS. CANTOR: I can help with that.

They also have the ability to have sub-concessions such as selling food and things like that and those are all generating active incomes.

MS. MENDEZ: Okay. And usually how much does that generate because I know in other plazas there's been issues that it's not enough, that it needs a lot of maintenance and there's not been enough money to put into keeping it. So that's my concern.

MS. CANTOR: I think DOT needs to address it.

MS. FRUMIN: Yes. We generate revenue through special events and mostly with the sub-concessions, the partner is responsible for the maintenance of that plaza in accordance with the concession agreement.

If they do not generate enough revenue for the maintenance, then they usually offset or because they are part of the big partner, they should be able

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PROCEEDING

to figure out the maintenance there.

I just want to make sure that we're clear that there's no cost to the city for the maintenance of the plaza.

MS. MENDEZ: Yes, but the bids make their money by instituting fees to usually businesses and in some cases to residential, very rarely. And if there's not enough activity that will generate revenues and if there is, for example, a lot of snow and a lot of salt that impacts the plaza.

I've seen this in other plazas where it's a lot of money to repair and they don't have it and then that means they either have to raise fees, which you know it's still just the city streets.

So just the answer for me isn't good enough, depending on you know some plazas are going to generate a lot more revenue because of their location and others are not.

MS. FRUMIN: Is there a question?

MS. MENDEZ: No, I guess that was a

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PROCEEDING

statement pertaining toward the answer is not good enough for me, but that's okay. I don't think I'm going to get anything, no other than -- we just have to hope that they generate a lot of activities and revenues and don't have any big impacts on the area and the sidewalks.

MR. HATCH: Are there any other questions on this matter?

MS. CONOVITZ: I just wanted to note that at the last hearing DOT, I believe, said they would carefully monitor the expenses of the concessionaires during the term, and that if we can confirm that right now, I think that may be helpful given the question or statement that was just made.

MS. FRUMIN: Yes. We have a managing and expense budget which we oversee accordingly through financial reports.

MS. MENDEZ: Thank you.

MR. HATCH: Will a member please

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PROCEEDING

make a motion to move this item.

MS. CANTOR: Aye.

MR. HATCH: Will another member
please second the motion.

MS. QUINTIAN: Second.

MR HATCH: Will the Clerk please
take the vote.

THE CLERK: Mayor?

MR. HATCH: Yes.

THE CLERK: Office of the Mayor?

MR. FURNAS: Yes.

THE CLERK: Comptroller?

MS. CONOVITZ: Yes.

THE CLERK: Corporation Counsel?

MS. CANTOR: Yes.

THE CLERK: Office of Management and
Budget?

MS. QUINTIAN: Yes.

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

MS. MENDEZ: Yes.

THE CLERK: Calendar Item Number 2,
Resolution is adopted.

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PROCEEDING

MR. HATCH: Will the Clerk please call the third Calendar item.

THE CLERK: New York City Department of Small Business Services, Calendar Item Number 3:

In the matter of the intent to seek Franchise Concession Review Committee approval to utilize a different procedure to negotiate a sole source license agreement about with New Era Cap Co., Inc., for the non-exclusive use of city-owned trademarks on merchandise.

MR. HATCH: Is there any member who wishes to make a statement or ask a question on this matter?

(No response).

MR. HATCH: If not, will a member please make a motion to move this item.

MS. CANTLO-COCKFIELD: Aye.

MR. HATCH: Will another member please second the motion.

MS. YOUNG: Second.

MR. HATCH: Will the Clerk please take the vote.

1 PROCEEDING

2 THE CLERK: Mayor?

3 MR. HATCH: Yes.

4 THE CLERK: Office of the Mayor?

5 MR. FURNAS: Yes.

6 THE CLERK: Comptroller?

7 MS. CONOVITZ: Yes.

8 THE CLERK: Corporation Counsel?

9 MS. CANTOR: Yes.

10 THE CLERK: Office of Management and
11 Budget?

12 MS. QUINTIAN: Yes.

13 THE CLERK: On behalf of the Borough
14 President, President, Borough of Staten
15 Island?

16 MS. YOUNG: Yes.

17 THE CLERK: Calendar Item Number 3,
18 Resolution is adopted.

19 MR. HATCH: Will the Clerk please
20 call the fourth Calendar item.

21 THE CLERK: New York City Department
22 of Small Business Services, Calendar
23 Item Number 4:

24 In the matter of the intent to seek
25 Franchise and Concessions Review

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PROCEEDING

Committee approval to utilize a different procedure to negotiate a sole source license with Greenlight LLC., for the non-exclusive use of city-owned trademarks on merchandise.

MR. HATCH: Is there any member who wishes to make statements or ask a question on this matter?

(No Response)

MR. HATCH: If not, will a member please make motion to move the item.

MR. POYSTATEN: Aye.

MR. HATCH: Will another member please second the motion.

MR. FURNAS: Second, yes.

MR. HATCH: Will the Clerk please take the vote.

THE CLERK: Mayor?

MR. HATCH: Yes.

THE CLERK: Office of the Mayor?

MR. FURNAS: Yes.

THE CLERK: Comptroller?

MS. CONOVITZ: Yes.

THE CLERK: Corporation Counsel?

1 PROCEEDING

2 MS. CANTOR: Yes.

3 THE CLERK: Office of Management and
4 Budget?

5 MS. QUINTIAN: Yes.

6 THE CLERK: On behalf the Borough
7 President, President, Borough of Queens?

8 MR. POYSTATEN: Yes.

9 THE CLERK? Calendar Item Number 4,
10 Resolution is adopted.

11 MR. HATCH: Will the Clerk please
12 call the fifth Calendar item.

13 THE CLERK: New York City Department
14 of Small Business Services, Calendar
15 Item Number 5:

16 In the matter of the intent to seek
17 Franchise and Concession Review
18 Committee approval to utilize a
19 different procedure to negotiate a sole
20 source license agreement with Gennaro
21 Jewelers, Inc. for the non-exclusive use
22 of city-owned trademarks on merchandise.

23 MR. HATCH: Are there any members
24 that have questions or statements on
25 this matter?

1 PROCEEDING

2 (No response).

3 MR. HATCH: If not, will a member
4 please make a motion to move the item.

5 MS. CANTOR: Aye.

6 MR. HATCH: Will another member
7 please second the motion.

8 MS. CANTLO-COCFIELD: Second.

9 MR. HATCH: Will the Clerk please
10 take the vote.

11 THE CLERK: Mayor?

12 MR. HATCH: Yes.

13 THE CLERK: Office of the Mayor?

14 MR. FURNAS: Yes.

15 THE CLERK: Comptroller?

16 MS. CONOVITZ: Yes.

17 THE CLERK: Corporation Counsel?

18 MS. CANTOR: Yes.

19 THE CLERK: Office of Management and
20 Budget?

21 MS. QUINTIAN: Yes.

22 THE CLERK: On behalf the Borough
23 President, President, Borough of
24 Brooklyn?

25 MS. CANTLO-COCKFIELD: Yes.

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PROCEEDING

THE CLERK: The Calendar Item Number
5, Resolution is adopted.

We ask that the Reporter make the
entire 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.

MR. HATCH: Thank you, meeting
adjourned.

(Time noted: 2:52 p.m.)

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

I, SHECHINAH JACKSON, 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 20th day of June, 2019.


Shechinah Jackson

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PUBLIC MEETING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

WEDNESDAY, JUNE 12, 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 Joint Public Meeting
Wednesday, June 12, 2019 @ 2:30 P.M.*

**NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE
SERVICES**

No. 1: **IN THE MATTER** of the intent to award as a sole source concession the operation of dry boat storage, docking of no more than 8 jet skis, and business accessory parking, consisting of approximately 52,940 square feet of uplands and 1,135 square feet of lands under water property identified as Block 8844, Lot 50, in the Borough of Brooklyn to Emmons Avenue Marina, LLC. The Occupancy Permit provides for a retroactive term of one-year, commencing on April 15, 2015, and terminating on March 31, 2016 with two (2) one-year renewal options, exercisable at the City's sole discretion, which options have both been exercised. Compensation to the City, as established by a settlement, will be \$119,000 for the first year, \$125,790 for the second year and \$134,295.50 for the third year.

NEW YORK CITY DEPARTMENT OF TRANSPORTATION

No. 2: **IN THE MATTER** of the intent to award as a concession a Sole Source License Agreement to the Meatpacking District Management Association, Inc., to provide for the operation, management, and maintenance of pedestrian plazas located at 9th Avenue between Gansevoort Street and West 15th Street, in the borough of Manhattan. Meatpacking BID will be required to invest any revenue generated by this concession into the maintenance and/or repair, including reasonable administrative costs, of the Licensed Plaza. The License will provide for one (1) six-month term, commencing upon written Notice to Proceed, which may be renewed for up to three (3) additional five-year terms, exercisable at the sole discretion of DOT.

NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES

No. 3: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval to utilize a different procedure to negotiate a sole source license agreement with New Era Cap Co, Inc. for the non-exclusive use of city-owned trademarks on merchandise.

NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES

No. 4: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval to utilize a different procedure to negotiate a sole source license agreement with Greenlight, LLC. for the non-exclusive use of city-owned trademarks on merchandise.

NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES

No. 5: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval to utilize a different procedure to negotiate a sole source license agreement with Gennaro Jewelers, Inc. for the non-exclusive use of city-owned trademarks on merchandise.