

Franchise & Concession Review Committee Public Meeting
May 13, 2020

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REMOTE PUBLIC MEETING
FRANCHISE and CONCESSION REVIEW COMMITTEE

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May 13, 2020
2:30 p.m.

Remotely via
WebEx Conference Call

Julia M. Speros
Court Reporter

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

Mayor:

Bess Chiu

Office of the Mayor:

Benjamin Furnas

Corporation Counsel:

Sharon Cantor

Office of Management and Budget:

Yvonne Quintian

Comptroller:

John Katsorhis

Borough President of the Bronx:

Mirtha Camille Sabio

Borough President of Brooklyn:

Tonya Cantlo-Cockfield

Borough President of Manhattan:

Rosura Mendez

Borough President of Queens:

Allan Swisher

Borough President of Staten Island:

Lashay Young

Clerk:

Gregg Alleyne

Alexandre Stamoulis (Alternate)

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PROCEEDINGS

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

(All attendees responded "yes".)

THE CLERK: Thank you.

Today's meeting is being held by a WebEx 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.

(Discussion off the record.)

THE CLERK: Chair, we are ready to begin.

MS. CHIU: Good afternoon -- excuse me -- good afternoon and thank you all for being here. My name is Bess Chiu,

Franchise & Concession Review Committee Public Meeting
May 13, 2020

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1 Chair for the FCRC.

2 The Franchise and Concession Review
3 Committee Remote Public Hearing will now
4 come to order.

5 Will the Clerk please call the roll?

6 MS. CANTOR: Public Meeting.

7 THE CLERK: I'm sorry, this is a
8 Public Meeting.

9 Please amend the record to reflect
10 that this is a Public Meeting.

11 Apologies.

12 Sorry -- Mayor.

13 MS. CHIU: Here.

14 THE CLERK: Office of the Mayor.

15 MR. FURNAS: Here.

16 THE CLERK: Comptroller.

17 MR. KATSORHIS: Here.

18 THE CLERK: Corporation Counsel.

19 MS. CANTOR: Sharon Cantor, here.

20 THE CLERK: Office of Management and
21 Budget.

22 MS. QUINTIAN: Oh, sorry -- Yvonne
23 Quintian, here.

24 THE CLERK: President, Borough of
25 the Bronx.

1 MS. SABIO: Here, Martha Sabio.

2 THE CLERK: President, Borough of
3 Brooklyn.

4 MS. CANTLO-COCKFIELD: Tonya Cantlo,
5 here.

6 THE CLERK: President, Borough of
7 Manhattan.

8 MS. MENDEZ: Rosie Mendez, here.

9 THE CLERK: President, Borough of
10 Queens.

11 MR. SWISHER: Allan Swisher for
12 Queens Borough President, Sharon Lee,
13 here.

14 THE CLERK: President, Borough of
15 Staten Island.

16 MS. YOUNG: Lashay Young, here.

17 THE CLERK: New York City Department
18 of Transportation, Calendar Item number
19 1, in the matter of the intent to seek
20 Franchise and Concession Review
21 Committee approval to negotiate a Sole
22 Source License Agreement with the Fulton
23 Mall Improvement Association, Inc., for
24 the operation and management of a
25 pedestrian plaza located at DeKalb

1 Avenue between Fulton Street, Bond
2 Street, and Albee Square in the Borough
3 of Brooklyn, and maintenance and/or
4 repair of certain amenities installed
5 within the Licensed Plaza, including
6 through City-approved plaza events,
7 sponsorships, gifts, market concessions
8 and subconcessions, including but not
9 limited to providing for the sale of any
10 of the following:

11 Prepared food, beverages, locally
12 grown produce or locally manufactured
13 products, merchandise, such as souvenirs
14 or T-shirts, and other similar
15 merchandise within the Licensed Plaza.

16 Subconcessions would be awarded
17 based on solicitations issued by the
18 Fulton Mall Improvement Association,
19 Inc. in the basic form of Request for
20 Proposals or Request for Bids, subject
21 to DOT's prior written approval of both
22 solicitation and award.

23 MS. CHIU: Is there a member who
24 wishes to make a statement or ask a
25 question on this matter?

1 (No response.)

2 MS. CHIU: If not, will a member
3 please make a motion to move this item?

4 MS. CANTLO-COCKFIELD: Tonya Cantlo,
5 Brooklyn Borough President, so moved.

6 MS. CHIU: Will another member
7 please second the motion?

8 MR. KATSORHIS: John Katsorhis,
9 second.

10 MS. CHIU: Will the Clerk please
11 take the vote?

12 THE CLERK: Mayor.

13 MS. CHIU: Yes.

14 THE CLERK: Office of the Mayor.

15 MR. FURNAS: Yes.

16 THE CLERK: Comptroller.

17 MR. KATSORHIS: Yes.

18 THE CLERK: Corporation Counsel.

19 MS. CANTOR: Yes.

20 THE CLERK: Office of Management and
21 Budget.

22 MS. QUINTIAN: Yes.

23 THE CLERK: On behalf of the Borough
24 Presidents, President, Borough of
25 Brooklyn.

1 MS. CANTLO-COCKFIELD: Yes.

2 THE CLERK: Calendar Item number 1,
3 Resolution is adopted.

4 MS. CHIU: Will the Clerk please
5 call the second calendar item?

6 THE CLERK: New York City Department
7 of Transportation, Calendar Item number
8 2, in the matter of the intent to seek
9 Franchise and Concession Review
10 Committee approval to utilize a
11 different procedure, pursuant to Section
12 1-16 of the Concession Rules of the City
13 of New York, to negotiate concession
14 agreements with applicant organizations
15 for the operation and management of
16 pedestrian plazas, and maintenance
17 and/or repair of certain amenities
18 installed within the Licensed Plazas,
19 including through City-approved plaza
20 events, sponsorships, gifts, market
21 concessions and subconcessions,
22 including but not limited to providing
23 for the sale of any of the following:
24 Prepared food, beverages, locally
25 grown produce or locally manufactured

1 products, merchandise, such as souvenirs
2 or T-shirts, and other similar
3 merchandise within the Licensed Plazas.

4 Subconcessions would be awarded
5 based on solicitations issued in the
6 basic form of Request for Proposals or
7 Request for Bids, subject to DOT's prior
8 written approval of both solicitation
9 and award.

10 MS. CHIU: Is there a member who
11 wishes to make a statement or ask a
12 question on this matter?

13 (No response.)

14 MS. CHIU: If not, will a member
15 please make a motion to move this item?

16 MS. SABIO: Martha Sabio, President
17 Borough of Bronx.

18 MS. CHIU: Will another member
19 please second the motion?

20 MS. CANTOR: Sharon Cantor,
21 Corporation Counsel's office.

22 MS. CHIU: Thank you. Will the
23 Clerk please take the vote?

24 THE CLERK: Mayor.

25 MS. CHIU: Yes.

1 THE CLERK: Office of the Mayor.

2 MR. FURNAS: Yes.

3 THE CLERK: Comptroller.

4 MR. KATSORHIS: Yes.

5 THE CLERK: Corporation Counsel.

6 MS. CANTOR: Yes.

7 THE CLERK: Office of Management and
8 Budget.

9 MS. QUINTIAN: Yes.

10 THE CLERK: On behalf of the Borough
11 Presidents, President, Borough of
12 Manhattan.

13 MS. MENDEZ: Yes.

14 THE CLERK: Calendar Item number 2,
15 Resolution is adopted.

16 MS. CHIU: Will the Clerk please
17 call the third calendar item?

18 THE CLERK: New York City Department
19 of Small Business Services, Calendar
20 Item number 3, in the matter of the
21 intent to seek Franchise and Concession
22 Review Committee approval to utilize a
23 different procedure, pursuant to Section
24 1-16 of the Concession Rules of the City
25 of New York, to negotiate a

1 non-exclusive Sole Source License
2 Agreement with Mattel, Inc., for the
3 non-exclusive use of City-owned
4 trademarks on merchandise.

5 MS. CHIU: Is there is a member who
6 wishes to make a statement or ask a
7 question on this matter?

8 (No response.)

9 MS. CHIU: If not, will a member
10 please make a motion to move this item?

11 MS. CANTOR: Sharon Cantor,
12 Corporation Counsel's office.

13 MS. CHIU: Will another member
14 please second the motion?

15 MR. KATSORHIS: John Katsorhis,
16 Office of the Comptroller.

17 MS. CHIU: Will the Clerk please
18 take the vote?

19 THE CLERK: Mayor.

20 MS. CHIU: Yes.

21 THE CLERK: Office of the Mayor.

22 MR. FURNAS: Yes.

23 THE CLERK: Comptroller.

24 MR. KATSORHIS: Yes.

25 THE CLERK: Corporation Counsel.

1 MS. CANTOR: Yes.

2 THE CLERK: Office of Management and
3 Budget.

4 MS. QUINTIAN: Yes.

5 THE CLERK: On behalf of the Borough
6 Presidents, President, Borough of the
7 Bronx.

8 MS. SABIO: Yes.

9 THE CLERK: Calendar Item number 3,
10 Resolution is adopted.

11 MS. CHIU: Will the Clerk please
12 call the fourth calendar item?

13 THE CLERK: New York City Department
14 of Small Business Services, Calendar
15 Item number 4, in the matter of the
16 intent to seek Franchise and Concession
17 Review Committee approval to utilize a
18 different procedure, pursuant to Section
19 1-16 of the Concession Rules of the City
20 of New York, to negotiate a
21 non-exclusive Sole Source License
22 Agreement with Xcel Brands, Inc., for
23 the non-exclusive use of City-owned
24 trademarks on merchandise.

25 MS. CHIU: Is there a member who

1 wishes to make a statement or ask a
2 question on this matter?

3 (No response.)

4 MS. CHIU: If not, will a member
5 move this item?

6 MR. SWISHER: So moved, Allan
7 Swisher.

8 MS. CHIU: Will another member
9 please second the motion?

10 MS. QUINTIAN: Yvonne Quintian,
11 second.

12 THE CLERK: I'm sorry, I'm not sure
13 that we got that. Could you identify
14 yourself, the second, please?

15 MS. QUINTIAN: Yvonne Quintian,
16 second.

17 THE CLERK: Thank you.

18 MS. CHIU: Will the Clerk please
19 take the vote?

20 THE CLERK: Mayor.

21 MS. CHIU: Yes.

22 THE CLERK: Office of the Mayor.

23 MR. FURNAS: Yes.

24 THE CLERK: Comptroller.

25 MR. KATSORHIS: Yes.

1 THE CLERK: Corporation Counsel.

2 MS. CANTOR: Yes.

3 THE CLERK: Office of Management and
4 Budget.

5 MS. QUINTIAN: Yes.

6 THE CLERK: On behalf of the Borough
7 Presidents, President, Borough of
8 Queens.

9 MR. SWISHER: Yes.

10 THE CLERK: Calendar Item number 4,
11 Resolution is adopted.

12 Lastly, let it be hereby noted in
13 the record that the 12 Department of
14 Information Technology and
15 Telecommunications franchises approved
16 by the FCRC in January and February of
17 this year have received Mayoral
18 Approval.

19 We ask that the reporter make the
20 entire Remote Public Meeting agenda,
21 which was made publicly available on the
22 FCRC website, part of the final record
23 of this proceeding.

24 That completes the calendar.

25 MS. CHIU: Thank you. Meeting

1 adjourned.

2 (Time noted: 2:44 p.m.)

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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 13th day of May, 2020.



Julia M. Speros

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REMOTE PUBLIC MEETING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

WEDNESDAY, MAY 13, 2020 @ 2:30 P.M.

Dial-in Information:

Phone Number: (408)418-9388

Access Code: 716 891 588, # When Prompted

NOTE: 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 (646) 872-0231. Any person requiring reasonable accommodation for the public meeting should contact MOCS at least five (5) business days in advance of the meeting to ensure availability. 🗉

*Franchise and Concession Review Committee Remote Public Meeting
Wednesday, May 13th, 2020 @ 2:30 P.M.*

NEW YORK CITY DEPARTMENT OF TRANSPORTATION

No. 1: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval pursuant to Section 1-16 of the Concession Rules of the City of New York to negotiate a Sole Source License Agreement (Agreement) with the Fulton Mall Improvement Association, Inc., ("FMIA"), for the operation and management of a pedestrian plaza located at DeKalb Avenue between Fulton Street, Bond Street and Albee Square in the borough of Brooklyn ("Licensed Plaza"); and maintenance and/or repair of certain amenities installed within the Licensed Plaza, including through City-approved plaza events, sponsorships, gifts, market concession(s) and subconcessions, including but not limited to providing for the sale of any of the following: prepared food, beverages, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts), and other similar merchandise within the Licensed Plaza. Subconcessions would be awarded based on solicitations issued by FMIA in the basic form of Request for Proposals or Request for Bids, subject to DOT's prior written approval of both solicitation and award.

NEW YORK CITY DEPARTMENT OF TRANSPORTATION

No. 2: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval pursuant to Section 1-16 of the Concession Rules of the City of New York to negotiate concession agreements with applicant organizations for the operation and management of pedestrian plazas ("Licensed Plazas") and maintenance and/or repair of certain amenities installed within the Licensed Plazas, including through City-approved plaza events, sponsorships, gifts, market concession(s) and subconcessions, including but not limited to providing for the sale of any of the following: prepared food, beverages, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts), and other similar

merchandise within the Licensed Plazas. Subconcessions would be awarded based on solicitations issued in the basic form of Request for Proposals or Request for Bids, subject to DOT's prior written approval of both solicitation and award.

NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES

No. 3: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval pursuant to Section 1-16 of the Concession Rules of the City of New York to utilize a different procedure to negotiate a non-exclusive sole source license agreement with Mattel, 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 pursuant to Section 1-16 of the Concession Rules of the City of New York to utilize a different procedure to negotiate a non-exclusive sole source license agreement with Xcel Brands, Inc., for the non-exclusive use of city-owned trademarks on merchandise.