

Franchise & Concession Review Committee Public Meeting
March 11, 2020

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 MEETING
FRANCHISE and CONCESSION REVIEW COMMITTEE

-----X

March 11, 2020
2:34 p.m.

22 Reade Street
Spector Hall
New York, New York

Julia M. Speros
Court Reporter

Franchise & Concession Review Committee Public Meeting
March 11, 2020

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:
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 Brooklyn:
Tonya Cantlo-Cockfield

Borough President of Manhattan:
Matthew Washington

Borough President of Queens:
Allan Swisher

Borough President of Staten Island:
Lashay Young

Clerk:
Alexandre Stamoulis

1 Proceedings

2 MS. CHIU: Good afternoon and thank
3 you all for being here. The Franchise
4 and Concession Review Committee Public
5 Meeting will now come to order.

6 Will the Clerk please call the roll?

7 THE CLERK: Mayor.

8 MS. CHIU: Here.

9 THE CLERK: Office of the Mayor.

10 MR. FURNAS: Here.

11 THE CLERK: Comptroller.

12 MR. KATSORHIS: Here.

13 THE CLERK: Corporation Counsel.

14 MS. CANTOR: Here.

15 THE CLERK: Office of Management and
16 Budget.

17 MS. QUINTIAN: Here.

18 THE CLERK: President, Borough of
19 the Bronx.

20 (No response.)

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

24 President, Borough of Brooklyn.

25 MS. CANTLO-COCKFIELD: Here.

1 THE CLERK: President, Borough of
2 Manhattan.

3 MR. WASHINGTON: Here.

4 THE CLERK: President, Borough of
5 Queens.

6 MR. SWISHER: Here.

7 THE CLERK: President, Borough of
8 Staten Island.

9 MS. YOUNG: Here.

10 MS. CHIU: Will the Clerk please
11 call the first calendar item?

12 THE CLERK: New York City Department
13 of Parks & Recreation, Calendar Item
14 number 1, in the matter of the intent to
15 seek Franchise and Concession Review
16 Committee approval to award a concession
17 for the renovation, operation, and
18 maintenance of a high-quality restaurant
19 in Battery Park, Manhattan, for a five
20 year term, to The View at Battery Park
21 NYC, Inc.

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

25 MR. KATSORHIS: I do. I'd like to

1 thank Parks for its quick turnaround to
2 the Committee to address the testimony
3 provided at the March 9th Public
4 Hearing.

5 After reviewing the agency's
6 response and the supporting contract
7 documentation for the award, it appears
8 that the testimony did in fact raise
9 some points of interest, particularly
10 with the regard to how Parks arrived at
11 the final fee schedule for this
12 concession.

13 Going forward, I would hope that
14 Parks includes some analysis to indicate
15 the estimated revenue for which it was
16 advertised and the resulting fee after
17 negotiation.

18 In this particular case, it would
19 appear that we stand to receive less
20 than the minimum amount advertised by
21 Parks, but we support the award for this
22 concession and to continue this service
23 provided to the public and ensure
24 continued revenue stream to the City.

25 MS. CHIU: Thank you. Is there

1 another member -- or any other member
2 who wishes to make a statement or ask a
3 question on this matter?

4 MR. WASHINGTON: Yes, I'd like to
5 echo the comments of the Comptroller's
6 office on this concession.

7 While we support the concession and
8 we do appreciate the Parks Department
9 getting to us fairly quickly with their
10 response, we do thank Mr. Raffaele for
11 his testimony on March 9th.

12 Additionally, to the Parks
13 Department, they responded to Mr.
14 Raffaele's comments as being without
15 merit and irrelevant, which we disagree
16 with, although we do support the
17 concession agreement.

18 I wanted to state that for the
19 record, that we disagree with the
20 ultimate assessment of the Parks
21 Department on the comments given on
22 Monday, March 9th.

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

1 (No response.)

2 MS. CHIU: Will a member please make
3 a motion to move this item?

4 MR. WASHINGTON: So moved.

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

7 MR. KATSORHIS: Second.

8 MS. CHIU: Will the Clerk please
9 take the vote?

10 THE CLERK: Mayor.

11 MS. CHIU: Yes.

12 THE CLERK: Office of the Mayor.

13 MR. FURNAS: Yes.

14 THE CLERK: Comptroller.

15 MR. KATSORHIS: Yes.

16 THE CLERK: Corporation Counsel.

17 MS. CANTOR: Yes.

18 THE CLERK: Office of Management and
19 Budget.

20 MS. QUINTIAN: Yes.

21 THE CLERK: On behalf of the Borough
22 Presidents, President, Borough of
23 Manhattan.

24 MR. WASHINGTON: Yes.

25 THE CLERK: Calendar item number 1,

1 Resolution is adopted.

2 MS. CHIU: Will the Clerk please
3 call the second calendar item?

4 THE CLERK: New York City Department
5 of Transportation, Calendar Item number
6 2, in the matter of the intent to seek
7 Franchise and Concession Review
8 Committee approval to utilize a
9 different procedure, pursuant to Section
10 1-16 of the Concession Rules of the City
11 of New York, to enter into a Sole Source
12 License Agreement with the Friends of
13 Bogardus Plaza, Inc. to provide for the
14 operation and management of a pedestrian
15 plaza located at Hudson Street between
16 Chambers Street and Reade Street, in the
17 Borough of Manhattan.

18 The license will provide for one
19 five-year term commencing upon written
20 Notice to Proceed, which may be renewed
21 for up to four additional one-year
22 terms, exercisable at the sole
23 discretion of DOT.

24 The Concessionaire will be required
25 to invest any revenue generated by this

1 concession into the maintenance and/or
2 repair of certain amenities installed
3 within the Licensed Plaza and reasonable
4 administrative costs, as such costs
5 relate to the Licensed Plaza.

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

9 (No response.)

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

12 MR. WASHINGTON: So moved.

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

15 MS. CANTLO-COCKFIELD: Second.

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

18 THE CLERK: Mayor.

19 MS. CHIU: Yes.

20 THE CLERK: Office of the Mayor.

21 MR. FURNAS: Yes.

22 THE CLERK: Comptroller.

23 MR. KATSORHIS: Yes.

24 THE CLERK: Corporation Counsel.

25 MS. CANTOR: Yes.

1 THE CLERK: Office of Management and
2 Budget.

3 MS. QUINTIAN: Yes.

4 THE CLERK: On behalf of the Borough
5 Presidents, President, Borough of
6 Manhattan.

7 MR. WASHINGTON: Yes.

8 THE CLERK: Calendar item number 2,
9 Resolution is adopted.

10 We ask that the reporter make the
11 entire Public Meeting Agenda, which was
12 made publicly available and distributed
13 at this meeting, part of the final
14 record of this proceeding.

15 That completes the calendar.

16 MS. CHIU: Thank you. Meeting
17 adjourned.

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

19

20

21

22

23

24

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 March,
2020.



Julia M. Speros

& 4:13	another 6:1 7:5 9:13	c 2:2	completes 10:15	echo 6:5
11th 11:18	appear 5:19	calendar 4:11,13 7:25 8:3,5 10:8,15 (7)	comptroller 2:9 3:11 7:14 9:22 (4)	ensure 5:23
9th 5:3 6:11,22	appears 5:7	call 3:6 4:11 8:3	comptroller's 6:5	enter 8:11
about 6:25	appreciate 6:8	cantlocockfield 2:11 3:25 9:15	concession 1:5 3:4 4:15,16 5:12,22 6:6,7,17 8:7,10 9:1 (12)	entire 10:11
action 11:14	approval 4:16 8:8	cantor 2:6 3:14 7:17 9:25 (4)	concessionaire 8:24	estimated 5:15
additional 8:21	arrived 5:10	case 5:18	continue 5:22	exercisable 8:22
additionally 6:12	ask 4:23 6:2,24 9:7 10:10 (5)	certain 9:2	continued 5:24	fact 5:8
address 5:2	assessment 6:20	certification 11:2	contract 5:6	fairly 6:9
adjourned 10:17	available 10:12	certify 11:6,12	corporation 2:6 3:13 7:16 9:24 (4)	fee 5:11,16
administrative 9:4	award 4:16 5:7,21	chambers 8:16	costs 9:4,4	final 5:11 10:13
adopted 8:1 10:9	battery 4:19,20	chiu 2:3 3:2,8 4:10,22 5:25 6:23 7:2,5,8,11 8:2 9:6,10,13,16,19 10:16 (18)	counsel 2:6 3:13 7:16 9:24 (4)	first 4:11
advertised 5:16,20	behalf 7:21 10:4	city 4:12 5:24 8:4,10 (4)	court 1:20	five 4:19
after 5:5,16	being 3:3 6:14	clerk 2:18 3:6,7,9 ,11,13,15,18,21 4:1,4,7,10,12 7:8,1 0,12,14,16,18,21,2 5 8:2,4 9:16,18,20,22,24 10:1,4,8 (32)	day 11:18	fiveyear 8:19
afternoon 3:2	benjamin 2:5	come 3:5	department 4:12 6:8,13,21 8:4 (5)	forth 11:8
agency's 5:5	bess 2:3	commencing 8:19	different 8:9	forward 5:13
agenda 10:11	between 8:15	comments 6:5,14,21	disagree 6:15,19	four 8:21
agreement 6:17 8:12	blood 11:14	committee 1:5 3:4 4:16 5:2 8:8 (5)	discretion 8:23	franchise 1:5 3:3 4:15 8:7 (4)
alexandre 2:18	bogardus 8:13		distributed 10:12	friends 8:12
allan 2:14	borough 2:10,12,13,15 3:18,22,24 4:1,4,7 7:21,22 8:17 10:4,5 (15)		documentation 5:7	furnas 2:5 3:10 7:13 9:21 (4)
although 6:16	bronx 3:19,22		duly 11:8	further 11:12
am 11:12,15	brooklyn 2:10 3:24		e 2:2,2	generated 8:25
amenities 9:2	budget 2:7 3:16 7:19 10:2 (4)			getting 6:9
amount 5:20				given 6:21 11:10
analysis 5:14				going 5:13
andor 9:1				good 3:2
				hall 1:13

hand 11:18	7:3,25 8:3,5 9:11 10:8 (8)	11:16 (7)	noted 10:18	pm 1:2 10:18
hearing 5:4	its 5:1	matthew 2:12	notice 8:20	points 5:9
here 3:3,8,10,12, 14,17,25 4:3,6,9 (10)	john 2:9	may 8:20	now 3:5	present 3:23
hereby 11:6	julia 1:19 11:4	mayor 2:3,4 3:7,9 7:10,12 9:18,20 (8)	number 4:14 7:25 8:5 10:8 (4)	president 2:10,12,13,15 3:18,22,24 4:1,4,7 7:22 10:5 (12)
herein 11:8	katsorhis 2:9 3:12 4:25 7:7,15 9:23 (6)	me 11:8	nyc 4:21	presidents 7:22 10:5
hereunto 11:17	lashay 2:15	meeting 1:4 3:5 10:11,13,16 (5)	office 2:4,7 3:9,15 6:6 7:12,18 9:20 10:1 (9)	procedure 8:9
highquality 4:18	less 5:19	member 4:22 6:1,1,23 7:2,5 9:6,10,13 (9)	one 8:18	proceed 8:20
his 6:11	let 3:21	merit 6:15	oneyear 8:21	proceeding 10:14
hope 5:13	license 8:12,18	minimum 5:20	operation 4:17 8:14	proceedings 3:1
how 5:10	licensed 9:3,5	monday 6:22	order 3:5	provide 8:13,18
hudson 8:15	like 4:25 6:4	motion 7:3,6 9:11,14 (4)	other 6:1,23	provided 5:3,23
i'd 4:25 6:4	located 8:15	move 7:3 9:11	outcome 11:15	public 1:4 3:4 5:3,23 10:11 11:4 (6)
inc 4:21 8:13	m 1:19 11:4	moved 7:4 9:12	p 2:2,2	publicly 10:12
includes 5:14	made 10:12	ms 3:2,8,14,17,25 4:9,10,22 5:25 6:23 7:2,5,8,11,17,20 8:2 9:6,10,13,15,1 6,19,25 10:3,16 (26)	park 4:19,20	pursuant 8:9
indicate 5:14	maintenance 4:18 9:1	my 11:18	parks 4:13 5:1,10,14,21 6:8,12,20 (8)	queens 2:13 4:5
installed 9:2	make 4:23 6:2,24 7:2 9:7,11 10:10 (7)	n 2:2	part 10:13	question 4:24 6:3,25 9:8 (4)
intent 4:14 8:6	management 2:7 3:15 7:18 8:14 10:1 (5)	negotiation 5:17	particular 5:18	quick 5:1
interest 5:9	manhattan 2:12 4:2,19 7:23 8:17 10:6 (6)	new 1:13,13 4:12 8:4,11 11:5 (6)	particularly 5:9	quickly 6:9
interested 11:15	march 1:11 5:3 6:11,22 11:18 (5)	no 3:20 7:1 9:9 11:15 (4)	parties 11:13	quintian 2:8 3:17 7:20 10:3 (4)
into 8:11 9:1	marriage 11:14	notary 11:4	pedestrian 8:14	r 2:2
invest 8:25	matter 4:14,24 6:3,25 8:6 9:8		plaza 8:13,15 9:3,5 (4)	raffaele 6:10
irrelevant 6:15			please 3:6 4:10 7:2,6,8 8:2 9:11,14,16 (9)	raffaele's 6:14
is 3:22 4:22 5:25 6:23 8:1 9:6 10:9 11:9 (8)				raise 5:8
island 2:15 4:8				
item 4:11,13				

reade 1:22 8:16	s 2:2	supporting 5:6	9:12 10:7 (7)
reasonable 9:3	said 11:10	swisher 2:14 4:6	way 11:15
receive 5:19	schedule 5:11	sworn 11:8	whereof 11:17
record 3:21 6:19 10:14 11:10 (4)	second 7:6,7 8:3 9:14,15 (5)	take 7:9 9:17	which 5:15 6:15 8:20 10:11 (4)
recreation 4:13	section 8:9	term 4:20 8:19	while 6:7
reflect 3:21	seek 4:15 8:6	terms 8:22	who 4:22 6:2,24 9:6 (4)
regard 5:10	service 5:22	testimony 5:2,8 6:11 11:7,10 (5)	whose 11:7
relate 9:5	set 11:8,18	than 5:20	will 3:5,6 4:10 7:2,5,8 8:2,18,24 9:10,13,16 (12)
related 11:13	sharon 2:6	thank 3:2 5:1,25 6:10 10:16 (5)	wishes 4:23 6:2,24 9:7 (4)
renewed 8:20	signature 11:22	their 6:9	within 9:3 11:5,9
renovation 4:17	so 7:4 9:12	time 10:18	without 6:14
repair 9:2	sole 8:11,22	tonya 2:11	witness 11:7,11,17
reporter 1:20 10:10	some 5:9,14	transcript 11:9	would 5:13,18
required 8:24	source 8:11	transportation 8:5	written 8:19
resolution 8:1 10:9	spector 1:13	true 11:9	x 1:2,7
responded 6:13	speros 1:19 11:4	turnaround 5:1	year 4:20
response 3:20 5:6 6:10 7:1 9:9 (5)	stamoulis 2:18	ultimate 6:20	yes 6:4 7:11,13,1 5,17,20,24 9:19,21,23,25 10:3,7 (13)
restaurant 4:18	stand 5:19	up 8:21	york 1:13,13 4:12 8:4,11 11:5 (6)
resulting 5:16	state 6:18 11:5	upon 8:19	young 2:15 4:9
revenue 5:15,24 8:25	statement 4:23 6:2,24 9:7 (4)	us 6:9	yvonne 2:8
review 1:5 3:4 4:15 8:7 (4)	staten 2:15 4:8	utilize 8:8	240 10:18
reviewing 5:5	stream 5:24	view 4:20	2020 1:11 11:19
roll 3:6	street 1:22 8:15,16,16 (4)	vote 7:9 9:17	
rules 8:10	such 9:4	wanted 6:18	
	support 5:21 6:7,16	washington 2:12 4:3 6:4 7:4,24	