

In Re Franchise & Concession Review Committee Public Meeting NYC
- Mayor`s Office of Contract Services (MOCS) (FCRC)
October 13, 2021

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PUBLIC MEETING
FRANCHISE AND CONCESSION REVIEW COMMITTEE
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Spector Hall
22 Reade Street,
New York, New York 10007

Wednesday
October 13, 2021
2:33 p.m.

In Re Franchise & Concession Review Committee Public Meeting NYC
- Mayor`s Office of Contract Services (MOCS) (FCRC)
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A P P E A R A N C E S :

Mayor: Bess Chiu

Office of the Mayor: Julie Bero

Corporation Counsel: Kenisha Sutton

Office of Management and Budget:
Yvonne Quintian

Comptroller: John Katsorhis

Parks and Recreation: David Cerron

Bronx Borough President: Mirtha Camille Sabio

Brooklyn Borough President:
Tonya Cantlo-Cockfield

Manhattan Borough President: Rosaura Mendez

Queens Borough President: Allan Swisher

Staten Island Borough President:
Stephen Caracappa

Clerk: Gregg Alleyne

Clerk Alternate: Alexandre Stamoulis

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THE CHAIR: Good afternoon, and
thank you for all being here.

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If you are unable to join these
proceedings in person, please join via
the following Microsoft Teams dial-in
information --

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CLERK ALTERNATE: Can you unmute the
phone.

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THE CHAIR: Oh, I did. I'll just
hold the phone closer.

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The phone number is 646-893-7101.
The Phone Conference ID Number 828 135
306. Again, the phone number is
1-646-893-7101, and the Phone Conference
ID Number is 828 135 306.

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If you are attending remotely,
please identify yourself when you're
speaking. The Franchise and Concession
Review Committee Public Meeting will now
come to order.

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Will the clerk please call the roll.

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THE CLERK: Mayor?

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THE CHAIR: Here.

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THE CLERK: Office of the Mayor?

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MS. BERO: Here.

THE CLERK: Comptroller?

MR. KATSORHIS: Here.

THE CLERK: Corporation Counsel?

MS. SUTTON: Here.

THE CLERK: Office of Management and
Budget?

MS. QUINTIAN: Here.

THE CLERK: President, Borough of
the Bronx?

MS. SABIO: Mirtha Camille Sabio
here for Bronx Borough President Ruben
Diaz Jr.

CLERK: President, Borough of
Brooklyn?

MS. CANTLO-COCKFIELD: Tonya Cantlo,
representing Brooklyn Borough President
Eric Adams.

THE CLERK: President, Borough of
Manhattan?

MS. MENDEZ: Rosie Mendez on behalf
of Manhattan Borough President Gale
Brewer.

THE CLERK: President, Borough of

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Queens?

MR. SWISHER: Allan Swisher for
Queens Borough President Donovan
Richards, present.

THE CLERK: President, Borough of
Staten Island?

MR. CARACAPPA: Stephen Caracappa
for Staten Island Borough President
James Oddo, here.

THE CHAIR: Will the clerk please
call the first calendar item.

THE CLERK: New York City Department
of Parks and Recreation Calendar Item
No. 1: In the matter of the intent to
seek Franchise and Concession Review
Committee approval pursuant to Section
1-14 of the Concession Rules of the City
of New York to enter into a negotiated
Concession Agreement with Affiniti Ferry
Point, LLC, for the operation,
management and maintenance of an 18-hole
Jack Nicklaus signature golf course,
lighted driving range, clubhouse and
ancillary facilities at Ferry Point

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Park, the Bronx, for a 13-year term.

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THE CHAIR: I understand that there was a technical issue yesterday and that the Parks Department did not get a chance to make a statement on this item. In light of the high testimony -- the high volume of testimony yesterday, I would like to know from the Parks Department if they have any statement they'd like to make now.

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MR. CERRON: Yes.

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Good afternoon, committee members. During yesterday's public hearing, there were a number of points of information provided that deserve clarification.

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First and foremost, with regard to jobs and employment at the concession, Bobby Jones Links is committed to working in good faith to hire most, if not all, of Ferry Point's existing staff members. They have never planned to lay off the staff and start from scratch with new employees.

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Their plan was always to work with

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the local community and institutions like the Chamber of Commerce to ensure a diverse and locally impactful workforce at the golf course and the with local businesses.

Second, with regard to the course itself, the Ferry Point Golf Course is owned and was built by the City of New York. With all Parks concession agreements for our properties, this gives the City the right and the legal ability to terminate this license agreement and replace the licensee who operates this course.

As such, the City terminated the Trump Organization's concession agreement to operate the Ferry Point Golf Course; and that termination is effective on November 14, 2021.

The fact that this matter is in litigation should not impact on our ability to move forward with the process to engage a new operator nor this committee's review of the new concession

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agreement with our intended operator, Bobby Jones Links, who is prepared to assume operations to assure continuous care for the property and to serve the public.

Third, we are proud to partner with Bobby Jones Links. They are a large golf course owner and manager within the United States with 22 years of experience and properties in eight different states.

All of their courses include food and beverage operations, and Bobby Jones Links manages clubs with sales that range from three to \$5,000,000 for those food and beverage operations.

Their executives have experience operating a variety of courses, including courses that have hosted professional tournaments.

In addition to that, Bobby Jones has plans for making the facility more accessible. Their plan for the course includes making it more affordable for

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all visitors, with a commitment to cut rates across the board by ten percent.

They have a commitment to bring a robust level of community programs to Ferry Point, including a partnership with U.S. Kids Golf to provide youth instructional programs; partnering with groups like the U.S.D.G.A. in providing instruction and tournaments for disabled golfers; and establishing Ferry Point as regional headquarters for Black Girls Golf, a minority women's golf organization designed to increase participation within the sport.

We look forward to this next chapter at the course, and we thank the committee for their review of this agreement.

THE CLERK: Thank you.

Will the representative of the Department of Parks who just addressed the committee please identify yourself for the record.

MR. CERRON: My name is David

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Cerron, Assistant Commissioner for
Concessions and Internal Audit.

ATTENDEE: Madam Chair, Mr. Cerron
misstated the applicable law. Would you
like to hear a correct statement of the
law?

THE CHAIR: Sir, I'm going to
actually ask the members of the
committee if they have any statements.

ATTENDEE: Okay. He misstated the
law. I want that clear.

THE CHAIR: Are there any other
members who wish to make a statement or
ask a question on this matter?

MR. KATSORHIS: Comptroller wishes
to make a statement.

THE CHAIR: Go ahead.

MR. KATSORHIS: Despite our attempts
to have today's Public Meeting
rescheduled so that committee members
can reasonably review materials, ask
follow-up questions and conduct their
due diligence on this proposed award,
this administration has opted to move

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forward with today's vote.

This decision not only ignores our reasonable request, but disregards the overwhelming testimony provided against this award at yesterday's hearing. As a result, we have no choice but to vote against this concession.

THE CHAIR: Is there any other member who wishes to make a statement or ask a question on this matter?

MS. SABINO: Yes. The Bronx Borough President's Office wishes to make a statement.

THE CHAIR: Please go ahead.

MS. SABIO: Based on the concerns expressed by the community that testified at the Public Hearing yesterday, the Bronx Borough President, Ruben Diaz Jr., has serious reservations with regard to the decision that stands before us today, that being the award of the Ferry Point Golf Course concession to Affiniti Ferry Point, LLC.

We formally requested, much like the

1
2 Comptroller's Office, that this matter
3 be laid over to allow for a deeper dive
4 and review of the documentary
5 information available about the process
6 used, the benefits to the City, the
7 community engagement intentions of the
8 new vendor and the willingness to
9 provide job security to current
10 employees so that we could rest assured
11 our due diligence was complete.

12 Our request was denied, yet concerns
13 abound; so we cannot in good conscience
14 overlook these essential issues and,
15 therefore, we have determined we must
16 vote no to this concession.

17 Most importantly, we expect the
18 operator to work assiduously to retain
19 and recruit local residents for
20 employment, providing a mechanism of
21 training and creating career paths in
22 the operation of golf courses. We
23 recommend they also have ongoing, open
24 communication with community leaders and
25 elected officials during the term of its

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agreement in order to monitor the work being done in the community and to continue to strengthen the ties between the golf course and the community that surrounds it.

This outreach should include items that would be of particular concern and benefit to the community, such as special rates for seniors, essential workers, veterans and additional youth programming.

We encourage the City to participate in Borough-wide events to promote the Bronx and to partner with local organizations, such as the Bronx Overall Economic Development Corp. and the Bronx Chamber of Commerce to promote businesses and employment opportunities in the surrounding community, to its members and visitors.

Along with some fellow committee members and members of the public, we have concerns about the process that was used to determine this concession.

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While we understand the need to get new management in place to ensure the continued integrity of the operation and the viability of the course, we remain concerned about the compressed timeline for awarding this concession and the issues to be faced during the turnover.

Again, one of our greatest concerns remains the uncertain future of the current operator's employees, many of whom are Bronxites, should this concession be approved.

Thank you.

THE CHAIR: Thank you.

Is there any other member who wishes to make a statement or ask a question on this matter?

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

ATTENDEE: Madam Chair --

THE CHAIR: Sir --

ATTENDEE: -- one point of law on which Mr. Cerron --

THE CHAIR: -- we are actually --

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THE CLERK: This is a Public Meeting --

THE CHAIR: I understand --

THE CLERK: -- it is --

MS. BERO: Can you please put your mask on.

THE CLERK: This is a Public Meeting, which is not a forum for responses.

ATTENDEE: It's not a forum for stating the law?

THE CLERK: Not -- this is a Public Meeting. The hearing --

ATTENDEE: He misstated the law.

THE CLERK: -- (inaudible) for the public to be heard.

ATTENDEE: He's not going to get possession on the (inaudible).

THE CHAIR: Sir, I understand --

ATTENDEE: This is by the court order.

THE CHAIR: -- there is a legal matter. I believe you should address that in the court of law. Thank you.

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Is there another -- sorry. If -- I don't think there are any other members who wish to make a statement or ask a question on this matter. If not, will a member please make a motion to move this item.

MS. BERO: Motion to move.

THE CLERK: Apologies --

MS. BERO: Motion to move.

THE CLERK: -- please identify yourself for the record.

MS. BERO: Oh, we have to do that here?

THE CLERK: For the record holder.

MS. BERO: This is Julie Bero, motion to move.

THE CHAIR: Will another member please second the motion.

MS. SUTTON: Kenisha Sutton, I second the motion.

THE CHAIR: Will the clerk please take the vote.

THE CLERK: Mayor?

THE CHAIR: Yes. That's true, yes.

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THE CLERK: Office of the Mayor?

MS. BERO: May I explain my vote?

THE CHAIR: Yes.

MS. BERO: We'll be voting yes.

Yesterday, we heard from many folks who really expressed concerns about the existing employees of the golf course not being able to stay on. As we heard from the Parks Department today, the concessionaire is committed to local hiring and to maintaining as many employees as possible; and so, with that, we vote yes.

(Whereupon, there were technical difficulties.)

CLERK ALTERNATE: We're going to have that repeated. One moment.

There was some feedback. Can you just repeat your statement.

MS. BERO: I don't have the exact wording, but --

CLERK ALTERNATE: I'm sorry. Otherwise, I can provide a microphone.

MS. BERO: This is Julie Bero with

1
2 the Mayor's Office. I don't have the
3 exact words I just said; so I'll just
4 try to summarize, which is that we are
5 voting yes, with the understanding as to
6 what the Parks Department just detailed,
7 that the proposed concessionaire is
8 committed to local hiring and
9 maintaining as many employees as
10 possible who are currently employed by
11 the golf course.

12 THE CLERK: Comptroller?

13 MR. KATSORHIS: John Katsorhis, no.

14 THE CLERK: Corporation Counsel?

15 MS. SUTTON: Kenisha Sutton, yes.

16 THE CLERK: Office of Management and
17 Budget?

18 MS. QUINTIAN: Yvonne Quintian, yes.

19 THE CLERK: On behalf of the borough
20 presidents, President, Borough of the
21 Bronx?

22 MS. SABIO: Mirtha Camille Sabio, on
23 behalf of Bronx Borough President Ruben
24 Diaz Jr., no.

25 THE CLERK: Calendar Item No. 1,

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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.

THE CHAIR: Thank you. Meeting adjourned.

(TIME NOTED: 2:47 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)

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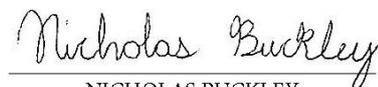
COUNTY OF NEW YORK)

I, Nicholas Buckley, a Notary Public within and for the State of New York, do hereby certify:

I reported the proceedings in the within-entitled matter, and that the within transcript is a true record of such proceedings to the best of my ability.

I further certify that I am not related to any of these parties to this proceeding 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 26th day of October, 2021.


NICHOLAS BUCKLEY

**In Re Franchise & Concession Review Committee Public Meeting
NYC - Mayor`s Office of Contract Services (MOCS) (FCRC)**

October 13, 2021

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**In Re Franchise & Concession Review Committee Public Meeting
NYC - Mayor`s Office of Contract Services (MOCS) (FCRC)**

October 13, 2021

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<p>clerk 2:16,17 3:8,22,23,25 4:3,5, 7,10,15,20,25 5:6,11,13 9:20 15:2,5,8,13,16 16:9,11,15,22,24 17:2,17,23 18:12,14,16,19,25 (35)</p> <p>closer 3:11</p> <p>clubhouse 5:24</p> <p>clubs 8:15</p> <p>come 3:21</p> <p>commerce 7:3 13:18</p> <p>commissioner 10:2</p> <p>commitment 9:2,4</p> <p>committed 6:19 17:11 18:8</p> <p>committee 1:4 3:20 5:17 6:13 9:18,23 10:10,21 13:22 (9)</p> <p>committee's 7:25</p> <p>communication 12:24</p> <p>community 7:2 9:5 11:17 12:7,24 13:3,5,9,20 (9)</p> <p>complete 12:11</p> <p>completes 19:8</p> <p>compressed 14:6</p> <p>comptroller 2:8 4:3 10:16 18:12 (4)</p>	<p>comptroller's 12:2</p> <p>concern 13:8</p> <p>concerned 14:6</p> <p>concerns 11:16 12:12 13:24 14:9 17:7 (5)</p> <p>concession 1:4 3:19 5:16,18,20 6:18 7:10,17,25 11:8,23 12:16 13:25 14:7,13 (15)</p> <p>concessionaire 17:11 18:7</p> <p>concessions 10:3</p> <p>conduct 10:23</p> <p>conference 3:13,15</p> <p>conscience 12:13</p> <p>continue 13:4</p> <p>continued 14:4</p> <p>continuous 8:4</p> <p>corp 13:17</p> <p>corporation 2:6 4:5 18:14</p> <p>correct 10:6</p> <p>could 12:10</p> <p>counsel 2:6 4:5 18:14</p> <p>county 20:6</p> <p>course 5:23 7:5,7,8,15,19 8:9,24 9:17 11:23 13:5 14:5 17:8</p>	<p>18:11 (14)</p> <p>courses 8:13,19,20 12:22 (4)</p> <p>court 15:21,25</p> <p>creating 12:21</p> <p>current 12:9 14:11</p> <p>currently 18:10</p> <p>cut 9:2</p> <p>david 2:9 9:25</p> <p>day 20:20</p> <p>decision 11:3,21</p> <p>deeper 12:3</p> <p>denied 12:12</p> <p>department 5:13 6:5,10 9:22 17:10 18:6 (6)</p> <p>deserve 6:16</p> <p>designed 9:14</p> <p>despite 10:19</p> <p>detailed 18:6</p> <p>determine 13:25</p> <p>determined 12:15</p> <p>development 13:17</p> <p>dialin 3:6</p> <p>diaz 4:14 11:20 18:24</p> <p>different 8:12</p>	<p>difficulties 17:16</p> <p>diligence 10:24 12:11</p> <p>disabled 9:10</p> <p>disregards 11:4</p> <p>distributed 19:5</p> <p>dive 12:3</p> <p>diverse 7:4</p> <p>documentary 12:4</p> <p>done 13:3</p> <p>donovan 5:4</p> <p>driving 5:24</p> <p>due 10:24 12:11</p> <p>during 6:14 12:25 14:8</p> <p>e 2:2,2 20:2,2 (4)</p> <p>economic 13:17</p> <p>effective 7:20</p> <p>eight 8:11</p> <p>elected 12:25</p> <p>employed 18:10</p> <p>employees 6:24 12:10 14:11 17:8,13 18:9 (6)</p> <p>employment 6:18 12:20 13:19</p> <p>encourage 13:13</p> <p>engage 7:24</p> <p>engagement 12:7</p>	<p>ensure 7:3 14:3</p> <p>enter 5:19</p> <p>entire 19:4</p> <p>eric 4:19</p> <p>essential 12:14 13:10</p> <p>establishing 9:11</p> <p>events 13:14</p> <p>exact 17:21 18:3</p> <p>executives 8:18</p> <p>existing 6:21 17:8</p> <p>expect 12:17</p> <p>experience 8:11,18</p> <p>explain 17:3</p> <p>expressed 11:17 17:7</p> <p>f 20:2</p> <p>faced 14:8</p> <p>facilities 5:25</p> <p>facility 8:23</p> <p>fact 7:21</p> <p>faith 6:20</p> <p>feedback 17:19</p> <p>fellow 13:22</p> <p>ferry 5:20,25 6:21 7:8,18 9:6,11 11:23,24 (9)</p> <p>final 19:6</p>
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**In Re Franchise & Concession Review Committee Public Meeting
NYC - Mayor`s Office of Contract Services (MOCS) (FCRC)**

October 13, 2021

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