

Franchise & Concession Review Committee Public Hearing NYC -
Mayor`s Office of Contract Services (MOCS) (FCRC)
September 27, 2021

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FRANCHISE AND CONCESSION REVIEW COMMITTEE

SPECIAL PUBLIC HEARING

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Microsoft Teams Conference
September 27, 2021
2:30 p.m.

Franchise & Concession Review Committee Public Hearing NYC -
Mayor`s Office of Contract Services (MOCS) (FCRC)
September 27, 2021

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

3 Mayor:

4 Alexis Blane

5 Office of the Mayor:

6 Julie Bero

7 Corporation Counsel:

8 Kenisha Sutton

9 Office of Management and Budget:

10 Yvonne Quintian

11 Comptroller:

12 John Katsorhis

13 Bronx Borough President:

14 Tom Lucania

15 Brooklyn Borough President:

16 Jeffrey Lowell

17 Manhattan Borough President:

18 Rosura Mendez

19 Queens Borough President:

20 Allan Swisher

21 Staten Island Borough President:

22 Stephen Caracappa

23 Clerk:

24 Gregg Alleyne

25 Alexandre Stamoulis

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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.

MS. BLANE: Yes.

THE CLERK: Today's hearing is being held via Microsoft Teams 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. Chair, we are ready to begin.

MS. BLANE: Good afternoon and thank you all for being here, my name is Alexis Blane, Chair of the FCRC. The Franchise and Concession Review Committee Remote Special Public Hearing will now come to order. Will the

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Clerk please call the roll?

THE CLERK: Mayor?

MS. BLANE: Present.

THE CLERK: Office of the Mayor?

MS. BERO: Here.

THE CLERK: Comptroller?

MR. KATSORHIS: John Katsorhis,
present.

THE CLERK: Corporation Counsel?

MS. SUTTON: Kenisha Sutton,
present.

THE CLERK: Office of Management and
Budget?

MS. QUINTIAN: Yvonne Quintian,
present.

THE CLERK: President, Borough of
the Bronx?

MR. LUCANIA: Tom Lucania, present.

THE CLERK: President, Borough of
Brooklyn?

MR. LOWELL: Jeffrey Lowell,
present.

THE CLERK: President, Borough of
Manhattan?

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MS. MENDEZ: Rosura Mendez, present.

THE CLERK: President, Borough of Queens?

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

THE CLERK: President, Borough of Staten Island?

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

THE CLERK: Representative, Department of Parks and Recreation? Alexander Han, New York City Parks.

THE CLERK: Thank you.

MS. BLANE: Welcome to this Remote Special Public Hearing of the Franchise and Concession Review Committee. The hearing being conducted today has been publicly advertised in accordance with the New York City Charter and Concession Rules of the City of New York. We want to be sure that anyone desiring to be heard has an opportunity to do so. All

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persons wishing to speak must provide their name, affiliation, indicate which calendar item/s they wish to testify on and whether they are "For" or "Against" said item to the Clerk at this time.

THE CLERK: Is there anyone that wishes to testify for today's proceeding?

MR. KASTORHIS: The Comptroller's office would like to testify.

THE CLERK: Thank you, you will be given the opportunity when the time CRC is given the floor?

MR. KASTORHIS: Thank you.

THE CLERK: Does anyone else wish to testify?

MR. HAN: Parks have a statement.

THE CLERK: Thank you, is there anyone who wishes to testify?

(No response.)

THE CLERK: Okay, it appears that no one else from the public wishes to testify at today's hearing.

MS. BLANE: Thank you. You may also

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submit written testimony to the clerk,
which will be made part of the record.
Any written submissions must be given to
the clerk before the close of the Remote
Special Public Hearing via e-mail to
fcrc@mocs.nyc.gov, that's
fcrc@mocs.nyc.gov and those submissions
will be provided to the committee after
the hearing. 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
award a sole source agreement between
NYC Parks and Statue Cruises, LLC for
the operation and maintenance of
passenger ferries for the purpose of
embarking and discharging passengers on
a regular schedule between The Battery,
Liberty Island, and Ellis Island, and
for the purpose of embarking and
discharging passengers of vessels on
sightseeing cruises and other ferry
operations, which may include but are

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not limited to, day and night charters of vessels, owned, operated or chartered by Statue Cruises, LLC at landing slips and adjacent walkways located in The Battery, Manhattan.

MS. BLANE: Changes to the concession documents have been distributed to the committee. And so, Parks will read those changes into the record.

MR. HAN: Thank you, in an effort to clarify some confusion from the step one approval or a new license agreement between Parks and Statue Cruises, we have replaced the proposed second amendment with a new agreement. The proposed license agreement is an update of the license issued to Statue Cruises in 2007, incorporating the amendments that were made to the license in 2018 and new updates drawn from the amendment that was proposed to the FCRC earlier as well. Additionally, the FDR Bay document have been edited to reflect the

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change from an amendment to the new agreement. A complete list of changes and redlined documents were circulated to the FCRC last week, thank you.

MS. BLANE: Thank you, we will take testimony from the public, but first I'd like to ask the members of the committee if they have any statements and I'll start by recognizing the Comptroller.

MR. KASTORHIS: Thank you. My statement on behalf of Comptroller Scott M. Stringer, I want to start by thanking Parks for addressing the concern the Comptroller's office recently raised, pertaining to the concession, by negotiating a new sole source license agreement with Statue Cruises to replace the previously circulated amendment and extension of the 2007 agreement. While we appreciate the efforts made by Parks, it's important to note that the new proposed license agreement being discussed at this special public hearing was only made available to this office

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2 and the public this past Friday,
3 September 23 at 4 p.m. In fact, as of 1
4 p.m. today, Parks website has not
5 updated its website to include the new
6 sole source license agreement, rather,
7 only the previously circulated draft
8 amendment is available. Despite our
9 request to have this hearing held over
10 to the regular FCRC public hearing
11 scheduled for Tuesday, October 12, 2020,
12 so that we would have enough time to
13 conduct a meaningful review of the new
14 agreement and participate fully in the
15 process, that request was denied. As a
16 result, we have only been able to
17 undertake a cursory review, of the draft
18 agreement and supporting documentation.
19 Based on this cursory review however,
20 we've identified several concerns, which
21 we intend to share with Parks shortly.
22 These concerns include, but are not
23 limited to, an apparent at the time from
24 the expiration of the prior concession
25 agreement and the proposed start date of

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the new agreement, as well as the new fee structure, including the potential lost revenue for that gap.

It is our sincere hope that Parks and the administration are able to properly address these issues and any additional concerns that are raised, once this office has completed a comprehensive review and the public has been given an opportunity to review the proposed license agreement before any public meeting is held to vote on this agreement. To that end, we respectfully request that Parks and the administration consider postponing Thursday's vote, thank you.

MS. BLANE: Thank you, do any other members of the committee have a statement?

MS. MENDEZ: Yes, this is Rose Mendez, from the Manhattan Borough President's Office, can you hear me?

MS. BLANE: Yes, go ahead, Ms. Mendez.

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MS. MENDEZ: On behalf of the
Manhattan Borough President, we would
like to associate ourselves with all the
comments named by Controller Scott
Stringer and we ask for a delay in the
vote as well, thank you.

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MS. BLANE: Thank you, do any other
members have a statement?

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(No response.)

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MS. BLANE: Will the clerk please
call the next person who wishes to
testify.

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THE CLERK: We have now heard all
testimony on this calendar item.

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FEMALE SPEAKER: Clerk, does the
Parks Department have a statement to
make?

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THE CLERK: I believe the Parks
Department read their statement, but I
can double-check. Is there an
additional statement from Department of
Parks and Recreation?

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MR. HAN: Yes, Parks have submitted
for registration and are exercising the

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full and final option here of the prior agreement to the Comptroller's office, which should address any questions related to a gap in the prior operation and that expiration of the prior agreement with the day before this new agreement will begin, thank you.

THE CLERK: Thank you, is there anyone else who would like to speak on this calendar item?

(No, response)

THE CLERK: We have now heard all testimony on this calendar item.

MS. BLANE: That concludes today's hearing. We ask that the Reporter make the entire Remote Special Public Hearing Agenda, which was made publicly available at the FCRC website, part of the final record of the proceeding. The hearing is now closed. Thank you.

(TIME NOTED: 2:44 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 shorthand reporter within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the statement taken on 9/27/2021.

I further certify that I am not related to any of the parties to this action by blood or by 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 27nd day of September 2021.


Shechinah Jackson

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27nd 14:19	also 6:25	begin 3:19 13:8	chair 3:18,22	comptroller's 6:10 9:15 13:3
able 10:16 11:6	am 14:14,16	behalf 9:12 12:2	change 9:2	concern 9:14
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administration 11:6,16	are 3:13,18 6:5 7:25 10:22 11:6,8 12:25 (8)	brooklyn 2:15 4:21	clerk 2:23 3:2,3,8 4:2,3,5,7,10,13,17, 20,24 5:3,8,13,16 6:6,7,12,16,19,22 7:2,5,10,12 12:11,14,16,19 13:9,13 (33)	confusion 8:13
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desiring 5:24	email 7:6	full 13:2	however 10:19	john 2:12 4:8
despite 10:8	embarking 7:19,22	fully 10:14	i'd 3:5 9:7	julie 2:6
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earlier 8:23	ferry 7:24	here 3:21 4:6 13:2	item 6:6 7:11,13 12:15 13:11,14 (6)	m 9:13
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edited 8:25	first 7:11 9:7	hereunto 14:18	its 10:5	maintenance 7:17
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ellis 7:21				

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13:16	name 3:11,21 6:3	operations 7:25	pm 1:2 10:3,4 13:22 (4)	queens 2:19 5:4,6
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		please 4:2 7:10 12:11		representative 5:13

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request 10:9,15 11:15	should 3:16,17 13:4	statue 7:16 8:4,15,19 9:18 (5)	their 3:11 6:3 12:20	website 10:4,5 13:19
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share 10:21	staten 2:21 5:9,11	thanking 9:13	walkways 8:5	york 5:15,22,23 7:12 14:5,10 (6)
shechinah 14:9			want 5:23 9:13	
shorthand 14:9			way 14:16	
shortly 10:21			we've 10:20	

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your 3:14

yvonne 2:10 4:15

“against” 6:5

“for” 6:5

244 13:22

2007 8:20 9:20

2018 8:21

2020 10:11

2021 1:7 14:19

9272021 14:13