

Franchise and Concession Review Committee Public Hearing
November 9, 2015

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PUBLIC HEARING
FRANCHISE and CONCESSION REVIEW MEETING
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22 Reade Street
Spector Hall
New York, New York

Monday, November 9, 2015
2:45 p.m.

APPEARANCES:

- Mayor: Peter Hatch
- Clerk: Stephanie Ruiz
- Department of Parks and Recreation
- Department of Small Business Services
- Office of Management and Budget: Jane Bayer
- Corporation Counsel: Sharon Cantor
- Comptroller: Richard Friedman
- Borough President of Bronx: Tom Lucania
- Borough President of Brooklyn: Andrew Gounardes
- Borough President of Queens: Jasmine Narang
- Borough President of Staten Island: James Shipp

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Proceedings

THE CHAIRPERSON: Good afternoon.
The Public Hearing will now come to order.
Will the Clerk please call the roll?

THE CLERK: Mayor?

THE CHAIRPERSON: Here.

THE CLERK: Office of the mayor?
(No response.)

THE CLERK: Comptroller?

THE COMPTROLLER: Here.

THE CLERK: Corporation Counsel?

CORPORATION COUNSEL: Here.

THE CLERK: Office of Management and
Budget?

OFFICE OF MANAGEMENT AND BUDGET:
Here.

THE CLERK: President, Borough of
the Bronx?

BRONX BOROUGH PRESIDENT: Here.

THE CLERK: President, Borough of
Brooklyn?

BROOKLYN BOROUGH PRESIDENT:
Present.

THE CLERK: President, Borough of
Manhattan?

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1 (No response.)

2 THE CLERK: President, Borough of
3 Queens?

4 QUEENS BOROUGH PRESIDENT: Here.

5 THE CLERK: President, Borough of
6 Staten Island?

7 STATEN ISLAND BOROUGH PRESIDENT:
8 Here.

9 THE CHAIRPERSON: Welcome to this
10 Public Hearing of the Franchise &
11 Concession Review Committee. The hearing
12 being conducted today has been publicly
13 advertised in accordance with the New York
14 City Charter and Concession Rules of the
15 City of New York.

16 We want to be sure that anyone
17 desiring to be heard has an opportunity to
18 do so. All persons wishing to speak must
19 fill out a request slip, which may be
20 obtained from the Clerk. Each speaker will
21 be allotted approximately three minutes.
22 When you testify, please state your name
23 and affiliation, if any. You may also
24 submit questions -- written testimony to
25 the clerk which will be made part of the

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1 record. Any written submission must be
2 given to the clerk before the close of the
3 public hearing.

4 Will the Clerk please call the first
5 calendar item.

6 THE CLERK: New York City Department
7 of Parks and Recreation, Calendar Item
8 No. 1: In the matter of the intent to seek
9 Franchise & Concession Review Committee
10 approval to utilize a different procedure,
11 pursuant to Section 1-16 of the Concession
12 Rules of the City of New York, to authorize
13 the New York City Department of Parks and
14 Recreation to enter into a Sole Source
15 Concession Agreement with the Times Square
16 District Management Association, Inc., for
17 the maintenance and operation of Father
18 Duffy Square in Times Square, Manhattan,
19 including the collection of Special Event
20 concession fees.

21 THE CHAIRPERSON: Does anyone wish
22 to testify?

23 (No response.)

24 THE CHAIRPERSON: If no one wishes
25 to speak, will the Clerk please call the

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1 second calendar item.

2 THE CLERK: New York City Department
3 of Small Business Services, Calendar Item
4 No. 2: In the matter of the intent to
5 award a new licensing agreement with Daron
6 Worldwide Trading, Inc., for the
7 non-exclusive use of city-owned trademarks
8 on merchandise.

9 THE CHAIRPERSON: Does anyone wish
10 to testify?

11 (No response.)

12 THE CHAIRPERSON: If no one wishes
13 to speak, will the Clerk please call the
14 third calendar item.

15 THE CLERK: New York City Department
16 of Small Business Services, Calendar Item
17 No. 3: In the matter of the intent to
18 award a new licensing agreement with New
19 York Popular Inc., for the non-exclusive
20 use of city-owned trademarks on
21 merchandise.

22 THE CHAIRPERSON: Does anyone wish
23 to testify?

24 (No response.)

25 THE CHAIRPERSON: If no one wishes

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Proceedings

to speak, that concludes today's hearing.
We ask that the reporter make the entire
Public Hearing Agenda, which was made
publicly available and distributed at this
hearing, part of the final record of the
proceeding. The hearing is now closed.
Thank you.

(Time noted: 2:48 p.m.)

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A	D	L		
<p>ability (1) 7:13 action (1) 7:15 advertised (1) 3:13 affiliation (1) 3:23 afternoon (1) 2:2 Agenda (1) 6:4 agreement (3) 4:15 5:5,18 allotted (1) 3:21 Andrew (1) 1:19 APPEARANCES (1) 1:10 approval (1) 4:10 approximately (1) 3:21 Association (1) 4:16 authorize (1) 4:12 available (1) 6:5 award (2) 5:5,18</p>	<p>Daron (1) 5:5 day (1) 7:19 Department (6) 1:13,14 4:6,13 5:2 5:15 desiring (1) 3:17 different (1) 4:10 distributed (1) 6:5 District (1) 4:16 Duffy (1) 4:18</p>	<p>licensing (2) 5:5,18 Lucania (1) 1:18</p>		
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	<p>E (2) 7:2,2 enter (1) 4:14 entire (1) 6:3 Event (1) 4:19</p>	<p>maintenance (1) 4:17 Management (4) 1:15 2:13,15 4:16 Manhattan (2) 2:25 4:18 marriage (1) 7:16 matter (5) 4:8 5:4,17 7:11,17 mayor (3) 1:11 2:5,7 MEETING (1) 1:3 merchandise (2) 5:8,21 minutes (1) 3:21 Monday (1) 1:8</p>		
	F	N		
<th style="text-align: center;">B</th> <td></td> <td> <p>name (1) 3:22 Narang (1) 1:20 new (14) 1:7,7 3:13,15 4:6,12,13 5:2,5,15,18,18 7:4,8 non-exclusive (2) 5:7,19 Notary (1) 7:7 noted (1) 6:9 November (2) 1:8 7:19</p> </td>	B		<p>name (1) 3:22 Narang (1) 1:20 new (14) 1:7,7 3:13,15 4:6,12,13 5:2,5,15,18,18 7:4,8 non-exclusive (2) 5:7,19 Notary (1) 7:7 noted (1) 6:9 November (2) 1:8 7:19</p>	
<p>Bayer (1) 1:15 best (1) 7:13 blood (1) 7:15 Borough (13) 1:18,19,20,21 2:17 2:19,20,22,24 3:2,4,5,7 Bronx (3) 1:18 2:18,19 Brooklyn (3) 1:19 2:21,22 Budget (3) 1:15 2:14,15 Business (3) 1:14 5:3,16</p>	<p>F (1) 7:2 Father (1) 4:17 fees (1) 4:20 fill (1) 3:19 final (1) 6:6 first (1) 4:4 Franchise (3) 1:3 3:10 4:9 Friedman (1) 1:17 further (1) 7:14</p>			
	G	O		
<th style="text-align: center;">C</th> <td> <p>given (1) 4:2 Good (1) 2:2 Gounardes (1) 1:19</p> </td> <td> <p>obtained (1) 3:20 Office (4) 1:15 2:7,13,15 operation (1) 4:17 opportunity (1) 3:17 order (1) 2:3 outcome (1) 7:17</p> </td>	C	<p>given (1) 4:2 Good (1) 2:2 Gounardes (1) 1:19</p>	<p>obtained (1) 3:20 Office (4) 1:15 2:7,13,15 operation (1) 4:17 opportunity (1) 3:17 order (1) 2:3 outcome (1) 7:17</p>	
<p>C (2) 7:2,2 calendar (6) 4:5,7 5:1,3,14,16 call (4) 2:4 4:4,25 5:13 Cantor (1) 1:16 CASSELLA (2) 7:7,22 certify (2) 7:9,14 CHAIRPERSON (9) 2:2,6 3:9 4:21 4:24 5:9,12,22,25 Charter (1) 3:14 City (7) 3:14,15 4:6,12,13 5:2,15 city-owned (2) 5:7,20 clerk (21) 1:12 2:4,5,7,9,11,13,17 2:20,24 3:2,5,20,25 4:2,4,6,25 5:2,13,15 close (1) 4:2 closed (1) 6:7 collection (1) 4:19 come (1) 2:3 Committee (2) 3:11 4:9 Comptroller (3) 1:17 2:9,10 concession (7) 1:3 3:11,14 4:9,11 4:15,20 concludes (1) 6:2 conducted (1) 3:12 Corporation (3) 1:16 2:11,12 Counsel (3) 1:16 2:11,12 COUNTY (1) 7:5</p>	<th style="text-align: center;">H</th> <td> <p>Hall (1) 1:6 hand (1) 7:19 Hatch (1) 1:11 heard (1) 3:17 hearing (9) 1:2 2:3 3:10,11 4:3 6:2 6:4,6,7 hereunto (1) 7:18</p> </td> <td></td>	H	<p>Hall (1) 1:6 hand (1) 7:19 Hatch (1) 1:11 heard (1) 3:17 hearing (9) 1:2 2:3 3:10,11 4:3 6:2 6:4,6,7 hereunto (1) 7:18</p>	
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	<p>James (1) 1:21 Jane (1) 1:15 Jasmine (1) 1:20 JENNIFER (2) 7:7,22</p>	<p>Queens (3) 1:20 3:3,4 questions (1) 3:24</p>		
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R	<p>transcript (1) 7:12 true (1) 7:12</p> <hr/> <p align="center">U</p> <p>use (2) 5:7,20 utilize (1) 4:10</p> <hr/> <p align="center">V</p> <hr/> <p align="center">W</p> <p>want (1) 3:16 way (1) 7:16 Welcome (1) 3:9 WHEREOF (1) 7:18 wish (3) 4:21 5:9,22 wishes (3) 4:24 5:12,25 wishing (1) 3:18 within-entitled (1) 7:11 WITNESS (1) 7:18 Worldwide (1) 5:6 written (2) 3:24 4:1</p> <hr/> <p align="center">X</p> <p>X (2) 1:2,4</p> <hr/> <p align="center">Y</p> <p>York (12) 1:7,7 3:13,15 4:6,12,13 5:2,15,19 7:4,8</p> <hr/> <p align="center">Z</p> <hr/> <p align="center">0</p> <hr/> <p align="center">1</p> <p>1 (1) 4:8 1-16 (1) 4:11 16th (1) 7:19</p> <hr/> <p align="center">2</p> <p>2 (1) 5:4 2:45 (1) 1:8 2:48 (1) 6:9 2015 (2) 1:8 7:19 22 (1) 1:6</p> <hr/> <p align="center">3</p> <p>3 (1) 5:17</p> <hr/> <p align="center">4</p> <hr/> <p align="center">5</p> <hr/> <p align="center">6</p> <hr/> <p align="center">7</p> <hr/> <p align="center">8</p>	9
<p>R (1) 7:2 Reade (1) 1:6 record (3) 4:1 6:6 7:12 Recreation (3) 1:13 4:7,14 related (1) 7:14 reported (1) 7:10 reporter (1) 6:3 request (1) 3:19 response (5) 2:8 3:1 4:23 5:11,24 Review (3) 1:3 3:11 4:9 Richard (1) 1:17 RICHMOND (1) 7:5 roll (1) 2:4 Ruiz (1) 1:12 Rules (2) 3:14 4:12</p> <hr/> <p align="center">S</p> <p>second (1) 5:1 Section (1) 4:11 seek (1) 4:8 Services (3) 1:14 5:3,16 set (1) 7:18 Sharon (1) 1:16 Shipp (1) 1:21 slip (1) 3:19 Small (3) 1:14 5:3,16 Sole (1) 4:14 Source (1) 4:14 speak (4) 3:18 4:25 5:13 6:2 speaker (1) 3:20 Special (1) 4:19 Spector (1) 1:6 Square (3) 4:15,18,18 ss (1) 7:4 state (3) 3:22 7:4,8 Staten (3) 1:21 3:6,7 Stephanie (1) 1:12 Street (1) 1:6 submission (1) 4:1 submit (1) 3:24 sure (1) 3:16</p> <hr/> <p align="center">T</p> <p>T (2) 7:2,2 testify (4) 3:22 4:22 5:10,23 testimony (1) 3:24 Thank (1) 6:8 third (1) 5:14 three (1) 3:21 Time (1) 6:9 Times (2) 4:15,18 today (1) 3:12 today's (1) 6:2 Tom (1) 1:18 trademarks (2) 5:7,20 Trading (1) 5:6</p>	<p>9 (1) 1:8</p>	

PUBLIC HEARING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

MONDAY, MARCH 9, 2015 @ 2:30 P.M.

22 READE STREET, NEW YORK, NY

NOTE: INDIVIDUALS REQUESTING SIGN LANGUAGE INTERPRETERS SHOULD CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES, 253 BROADWAY, 9TH FL., NEW YORK, NEW YORK, N.Y. 10007 (212) 788-7490, NO LATER THAN SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD USERS SHOULD CALL VERIZON RELAY SERVICE.

*Franchise and Concession Review Committee Joint Public Hearing
Monday, March 9, 2015 @ 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 to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to authorize the New York City Department of Transportation ("DOT") to enter into a Sole Source Concession Agreement with the Alliance for Downtown New York, Inc. ("ADNY"), to provide for the operation, management, and maintenance of a pedestrian plaza consisting of two separate pedestrian areas located on (1) Water and Whitehall Streets, and (2) Water Street and Coenties Slip in the Borough of Manhattan ("Licensed Plaza"). The Agreement will provide for one (1) five-year term, commencing upon written Notice to Proceed, with four (4) one-year renewal options, exercisable at the sole discretion of DOT. ADNY will be required to invest any revenue generated by this concession into the maintenance, repair and/or improvement, including reasonable administrative costs, of the Licensed Plaza.