

Franchise and Concession Review Committee Public Meeting
September 9, 2015

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PUBLIC MEETING
FRANCHISE AND CONCESSION REVIEW COMMITTEE

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22 Reade Street
New York, New York 10007
Spector Hall

Wednesday, September 9, 2015
2:39 p.m.

APPEARANCES:

- Mayor: Peter Hatch
- Office of the Mayor: Brittny Saunders
- Corporation Counsel: Sharon Cantor
- Office of Management and Budget: Michael Geramita
- Comptroller: Richard Friedman
- Bronx Borough President: Raymond Sanchez
- Brooklyn Borough President: Andrew Gounardes
- Manhattan Borough President: James Caras
- Queens Borough President: Elisa Velazquez
- Staten Island Borough President: James Shipp

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APPEARANCES CONTINUED:

Clerk: Stephanie Ruiz

Stanley Shore
Department of Information Technology &
Telecommunications

Franchise and Concession Review Committee Public Meeting
September 9, 2015

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Proceedings

MR. HATCH: Good afternoon. Thank you for being here. The Franchise and Concession Review Committee Public Meeting will now come to order. Will the Clerk please call the roll?

MS. RUIZ: Mayor?

MR. HATCH: Here.

MS. RUIZ: Office of the Mayor?

MS. SAUNDERS: Here.

MS. RUIZ: Comptroller?

MR. FRIEDMAN: Here.

MS. RUIZ: Corporation Counsel?

MS. CANTOR: Here.

MS. RUIZ: Office of Management and Budget?

MR. GERAMITA: Here.

MS. RUIZ: President, Borough of the Bronx?

MR. SANCHEZ: Here.

MS. RUIZ: President, Borough of Brooklyn?

MR. GOUNARDES: Present.

MS. RUIZ: President, Borough of Manhattan?

MR. CARAS: Here.

MS. RUIZ: President, Borough of Queens?

MS. VELAZQUEZ: Yeah, here.

Franchise and Concession Review Committee Public Meeting
September 9, 2015

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Proceedings

MS. RUIZ: President, Borough of Staten
Island?

MR. SHIPP: Here.

MR. HATCH: Will the Clerk please call the
first calendar item?

MS. RUIZ: New York City Department of Parks
and Recreation, Calendar Item Number One. 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 Parks and Recreation, to negotiate a Sole
Source License Agreement with Cirque du Soleil
America, Inc. For the operation, maintenance,
and management of a circus at the Harlem River
Event Site at Randall's Island Park, Manhattan.

A proposed resolution was submitted
relative thereto, and the resolution is
calendared for adoption.

MR. HATCH: Is there a 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?

Franchise and Concession Review Committee Public Meeting
September 9, 2015

5

1 Proceedings

2 MR. GOUNARDES: So moved.

3 MR. HATCH: Will another member please second
4 the motion?

5 MR. SANCHEZ: Second.

6 MR. HATCH: Will the Clerk please take the
7 vote?

8 MS. RUIZ: Mayor?

9 MR. HATCH: Yes.

10 MS. RUIZ: Office of the Mayor?

11 MS. SAUNDERS: Yes.

12 MS. RUIZ: Comptroller?

13 MR. FRIEDMAN: Yes.

14 MS. RUIZ: Corporation Counsel?

15 MS. CANTOR: Yes.

16 MS. RUIZ: Office of Management and Budget?

17 MR. GERAMITA: Yes.

18 MS. RUIZ: And on behalf of the Borough
19 Presidents, President, Borough of Manhattan?

20 MR. CARAS: Yes.

21 MS. RUIZ: Calendar Item Number One,
22 resolution is adopted.

23 MR. HATCH: Will the Clerk please call the
24 second calendar item?

25 MS. RUIZ: New York City Department of

Proceedings

Information Technology and Telecommunications,
Calendar Item Number Two. In the matter of the
intent to seek Franchise and Concession Review
Committee approval relating to:

1) Proposed changes in the beneficial
ownership of a public communications structure
franchise currently held by CityBridge, LLC,
whereby Intersection Holdings, LLC, will become
the parent company of CityBridge member parent
companies Titan Outdoor Holdings, Inc., and
Control Group Ventures, LLC. By that
transaction, Intersection will obtain voting
control of those parent companies, and indirect
control of CityBridge members, Titan Outdoor LLC
and CG Partners LLC; and

2) A proposed amendment to the franchise
agreement that will modify various sections
including the maintenance and monitoring system,
state of the art, data rights, and general
description of services sections. The amendment
will include a requirement for services to
certain City designated facilities.

A proposed resolution was submitted
relative thereto, and the resolution is

Franchise and Concession Review Committee Public Meeting
September 9, 2015

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Proceedings

calendared for adoption.

MR. HATCH: Stanley Shore, Assistant Commissioner of the Department of Information Technology and Telecommunications will read into the record changes that have been made to the proposed franchise amendment since its distribution to the FCRC.

MR. SHORE: The following is a change in Section 4.6.1 Gigabit Centers: "Subject to any required administrative obligatory or other approvals, the franchisee shall provide Wi-Fi services in each of the five facilities, gigabit centers. There will be one gigabit center in each borough and each gigabit center will be provided by DoITT with input from the franchisee, at the commissioner's discretion, and in consultation with the respective borough president. For the purpose of furthering the goal, that all New Yorkers have full access to the benefits of high speed Internet connections; including the opportunity to incubate businesses, connect with communities, advance educational experiences, and develop innovative uses for Link NYC."

Franchise and Concession Review Committee Public Meeting
September 9, 2015

8

1 Proceedings

2 MR. HATCH: Is there a member who wishes to
3 make a statement or ask a question on this
4 matter? If not, will a member please make a
5 motion to move this item?

6 MS. VELAZQUEZ: Hold on, just one second. So
7 just to -- just to confirm that will be -- that
8 will be boiled down into the MOU? That the --

9 MR. SHORE: I have a letter to read to the
10 committee.

11 MS. VELAZQUEZ: Oh, sorry. Go right ahead.

12 MR. HATCH: Stanley, sorry for jumping the
13 gun.

14 MR. SHORE: It's all right.

15 MS. VELAZQUEZ: Sorry.

16 MR. SHORE: "Dear members of the committee,
17 the Department of Information Technology and
18 Telecommunications and DoITT is pleased to be
19 able to address the concerns raised by the
20 members of The Franchise and Concession Review
21 Committee regarding the proposed amendment and
22 implementation of the franchise agreement with
23 CityBridge.

24 We are happy to set forth the process for
25 consultation regarding delivering gigabit service

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Proceedings

to the public centers. DoITT will work with CityBridge to identify viable locations to establish the centers in each borough. When one or more viable locations is identified in a borough, the proposed location will be presented to the borough president of the borough where the center is proposed with a request for comment.

CityBridge will not be directed to commence work to bring fiber to the proposed public center until the borough president has had two weeks to comment. The borough presidents may also at any time prior to the establishment of the public centers to receive gigabit service in their respective boroughs, present to DoITT proposed locations where the borough presidents recommend the gigabit service be delivered.

DoITT also recognizes the valuable guidance that the borough presidents can provide regarding prioritization for the implements related to deployment. At least twice a year CityBridge will provide DoITT with a proposed incremental deployment plan, related to deployments in each borough. Within two weeks of the receipt by DoITT, DoITT will move forward to

Franchise and Concession Review Committee Public Meeting
September 9, 2015

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Proceedings

the respective borough presidents for comments. Additional comments should be provided within two weeks so that the present implement schedule will be maintained.

We will memorialize the foregoing in an MOU, and we look forward to working with the borough presidents on this specific franchise."

MR. HATCH: All right, let's try this again. Is there a member who wishes to make a statement or ask a question? If not, please make a motion to move this item.

MR. GOUNARDES: So moved.

MR. HATCH: Will another member please second that motion?

MS. VELAZQUEZ: Second.

MR. HATCH: Will the Clerk please take the vote?

MS. RUIZ: Mayor?

MR. HATCH: Yes.

MS. RUIZ: Office of the Mayor?

MS. SAUNDERS: Yes.

MS. RUIZ: Comptroller?

MR. FRIEDMAN: Yes.

MS. RUIZ: Corporation Counsel?

Franchise and Concession Review Committee Public Meeting
September 9, 2015

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Proceedings

MS. CANTOR: Yes.

MS. RUIZ: Office of Management and Budget?

MR. GERAMITA: Yes.

MS. RUIZ: And on behalf of the Borough
Presidents, President, Borough of Manhattan?

MR. CARAS: Yes. And I would just like to
thank the administration for agreeing to an input
process by the borough presidents on the gigabit
centers, and on the deployment of the kiosks to
be deployed. Thanks.

MS. RUIZ: Calendar Item Number Two,
resolution is adopted.

We ask that the reporter make the entire
public meeting agenda, which was publicly
available and distributed at this meeting, part
of the final record of this proceeding. That
completes the calendar.

MR. HATCH: Thank you, members. Meeting
adjourned.

(Time noted 2:46 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)
) ss.:
COUNTY OF KINGS)

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

THAT the within transcript is a true and accurate record of the foregoing proceedings.

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 14th of September 2015.



BONITA RICHARDS

**Franchise and Concession Review Committee Public Meeting
September 9, 2015**

<p align="center">A</p> <p>able (1) 8:19 access (1) 7:20 accurate (1) 12:11 action (1) 12:13 Additional (1) 10:3 address (1) 8:19 adjourned (1) 11:20 administration (1) 11:8 administrative (1) 7:11 adopted (2) 5:22 11:13 adoption (2) 4:21 7:2 advance (1) 7:23 afternoon (1) 3:4 agenda (1) 11:15 agreeing (1) 11:8 agreement (3) 4:15 6:18 8:22 ahead (1) 8:11 amendment (4) 6:17,21 7:7 8:21 America (1) 4:16 Andrew (1) 1:19 APPEARANCES (2) 1:12 2:2 approval (2) 4:10 6:5 approvals (1) 7:12 art (1) 6:20 Assistant (1) 7:3 authorize (1) 4:13 available (1) 11:16 AVENUE (1) 1:23</p>	<p>center (4) 7:14,15 9:8,11 centers (6) 7:10,14 9:2,4,14 11:10 certain (1) 6:23 certify (2) 12:9,12 CG (1) 6:16 change (1) 7:9 changes (2) 6:6 7:6 circus (1) 4:17 Cirque (1) 4:15 City (5) 4:7,12,13 5:25 6:23 CityBridge (7) 6:8,10,15 8:23 9:3,9 9:22 Clerk (6) 2:3 3:7 4:5 5:6,23 10:17 come (1) 3:6 commence (1) 9:10 comment (2) 9:8,12 comments (2) 10:2,3 Commissioner (1) 7:4 commissioner's (1) 7:17 committee (7) 1:6 3:6 4:10 6:5 8:10,16,21 communications (1) 6:7 communities (1) 7:23 companies (2) 6:11,14 company (1) 6:10 completes (1) 11:18 Comptroller (4) 1:17 3:12 5:12 10:23 concerns (1) 8:19 Concession (6) 1:6 3:5 4:10,12 6:4 8:20 confirm (1) 8:7 connect (1) 7:23 connections (1) 7:21 consultation (2) 7:18 8:25 CONTINUED (1) 2:2 control (3) 6:12,14,15 Corporation (4) 1:15 3:14 5:14 10:25 Counsel (4) 1:15 3:14 5:14 10:25 COUNTY (1) 12:6 currently (1) 6:8</p>	<p>directed (1) 9:9 discretion (1) 7:17 distributed (1) 11:16 distribution (1) 7:8 DoITT (8) 7:16 8:18 9:2,15,18,22 9:25,25 du (1) 4:15</p>
<p align="center">B</p> <p>behalf (2) 5:18 11:5 beneficial (1) 6:6 benefits (1) 7:21 blood (1) 12:13 boiled (1) 8:8 BONITA (2) 12:8,21 borough (28) 1:18,19,20,21,22 3:18,20,22,24 4:2 5:18,19 7:15 7:18 9:4,6,7,7,11,12,16,19,24 10:2,8 11:5,6,9 boroughs (1) 9:15 bring (1) 9:10 Brittney (1) 1:14 Bronx (2) 1:18 3:18 Brooklyn (2) 1:19 3:20 Budget (4) 1:16 3:16 5:16 11:3 businesses (1) 7:22</p>	<p align="center">D</p> <p>data (1) 6:20 Dear (1) 8:16 delivered (1) 9:17 delivering (1) 8:25 Department (6) 2:4 4:7,13 5:25 7:4 8:17 deployed (1) 11:11 deployment (3) 9:21,23 11:10 deployments (1) 9:24 description (1) 6:21 designated (1) 6:23 develop (1) 7:24 different (1) 4:11</p>	<p align="center">E</p> <p>E (2) 12:4,4 educational (1) 7:23 Elisa (1) 1:21 entire (1) 11:14 establish (1) 9:4 establishment (1) 9:13 Event (1) 4:18 experiences (1) 7:24</p>
<p align="center">C</p> <p>C (2) 12:4,4 calendar (7) 4:6,8 5:21,24 6:3 11:12,18 calendared (2) 4:21 7:2 call (3) 3:7 4:5 5:23 Cantor (4) 1:15 3:15 5:15 11:2 Caras (4) 1:20 3:23 5:20 11:7</p>	<p align="center">F</p> <p>F (1) 12:4 facilities (2) 6:23 7:13 FACSIMILE (1) 1:25 FCRC (1) 7:8 fiber (1) 9:10 final (1) 11:17 first (1) 4:6 five (1) 7:13 following (1) 7:9 foregoing (2) 10:6 12:11 forth (1) 8:24 forward (2) 9:25 10:7 franchise (10) 1:6 3:5 4:9 6:4,8,17 7:7 8:20,22 10:8 franchisee (2) 7:12,16 Friedman (4) 1:17 3:13 5:13 10:24 full (1) 7:20 further (1) 12:12 furthering (1) 7:19</p>	<p align="center">G</p> <p>general (1) 6:20 Geramita (4) 1:16 3:17 5:17 11:4 gigabit (8) 7:10,13,14,15 8:25 9:14 9:17 11:9 Go (1) 8:11 goal (1) 7:20 Good (1) 3:4 Gounardes (4) 1:19 3:21 5:2 10:13 Group (1) 6:12 guidance (1) 9:19 gun (1) 8:13</p> <p align="center">H</p> <p>Hall (1) 1:9 hand (1) 12:17 happy (1) 8:24 Harlem (1) 4:17</p>

**Franchise and Concession Review Committee Public Meeting
September 9, 2015**

<p>Hatch (17) 1:13 3:4,9 4:5,22 5:3,6 5:9,23 7:3 8:2,12 10:9,14,17,20 11:19</p> <p>held (1) 6:8</p> <p>hereunto (1) 12:16</p> <p>high (1) 7:21</p> <p>Hold (1) 8:6</p> <p>Holdings (2) 6:9,11</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>identified (1) 9:5</p> <p>identify (1) 9:3</p> <p>implement (1) 10:4</p> <p>implementation (1) 8:22</p> <p>implements (1) 9:20</p> <p>include (1) 6:22</p> <p>including (2) 6:19 7:22</p> <p>incremental (1) 9:23</p> <p>incubate (1) 7:22</p> <p>indirect (1) 6:14</p> <p>Information (4) 2:4 6:2 7:4 8:17</p> <p>innovative (1) 7:24</p> <p>input (2) 7:16 11:8</p> <p>intent (2) 4:9 6:4</p> <p>interested (1) 12:14</p> <p>Internet (1) 7:21</p> <p>Intersection (2) 6:9,13</p> <p>Island (3) 1:22 4:3,18</p> <p>item (9) 4:6,8,25 5:21,24 6:3 8:5 10:12 11:12</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>James (2) 1:20,22</p> <p>jumping (1) 8:12</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>KINGS (1) 12:6</p> <p>kiosks (1) 11:10</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>let's (1) 10:9</p> <p>letter (1) 8:9</p> <p>License (1) 4:15</p> <p>Link (1) 7:24</p> <p>LLC (5) 6:8,9,12,15,16</p> <p>location (1) 9:6</p> <p>locations (3) 9:3,5,16</p> <p>look (1) 10:7</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>maintained (1) 10:5</p> <p>maintenance (2) 4:16 6:19</p> <p>MAMARONECK (2) 1:23,24</p> <p>management (5) 1:16 3:16 4:17 5:16 11:3</p> <p>Manhattan (5) 1:20 3:22 4:18 5:19 11:6</p>	<p>marriage (1) 12:13</p> <p>matter (5) 4:9,24 6:3 8:4 12:15</p> <p>Mayor (8) 1:13,14 3:8,10 5:8,10 10:19,21</p> <p>meeting (5) 1:5 3:6 11:15,16,19</p> <p>member (8) 4:22,24 5:3 6:10 8:2,4 10:10,14</p> <p>members (4) 6:15 8:16,20 11:19</p> <p>memorialize (1) 10:6</p> <p>Michael (1) 1:16</p> <p>modify (1) 6:18</p> <p>monitoring (1) 6:19</p> <p>motion (5) 4:25 5:4 8:5 10:11,15</p> <p>MOU (2) 8:8 10:7</p> <p>move (4) 4:25 8:5 9:25 10:12</p> <p>moved (2) 5:2 10:13</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>negotiate (1) 4:14</p> <p>New (10) 1:9,9,24 4:7,12,13 5:25 7:20 12:5,9</p> <p>Notary (1) 12:8</p> <p>noted (1) 11:21</p> <p>Number (4) 4:8 5:21 6:3 11:12</p> <p>NYC (1) 7:25</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>obligatory (1) 7:11</p> <p>obtain (1) 6:13</p> <p>Office (8) 1:14,16 3:10,16 5:10,16 10:21 11:3</p> <p>Oh (1) 8:11</p> <p>operation (1) 4:16</p> <p>opportunity (1) 7:22</p> <p>order (1) 3:6</p> <p>outcome (1) 12:14</p> <p>Outdoor (2) 6:11,15</p> <p>ownership (1) 6:7</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>p.m (2) 1:11 11:21</p> <p>parent (3) 6:10,10,14</p> <p>Park (1) 4:18</p> <p>Parks (2) 4:7,14</p> <p>part (1) 11:16</p> <p>parties (1) 12:13</p> <p>Partners (1) 6:16</p> <p>Peter (1) 1:13</p> <p>plan (1) 9:23</p> <p>please (10) 3:7 4:5,24 5:3,6,23 8:4 10:11,14,17</p> <p>pleased (1) 8:18</p> <p>present (3) 3:21 9:15 10:4</p> <p>presented (1) 9:6</p> <p>president (15) 1:18,19,20,21,22 3:18,20,22,24 4:2 5:19 7:19 9:7 9:11 11:6</p>	<p>presidents (8) 5:19 9:12,16,19 10:2,8 11:6,9</p> <p>prior (1) 9:13</p> <p>prioritization (1) 9:20</p> <p>procedure (1) 4:11</p> <p>proceeding (1) 11:17</p> <p>proceedings (10) 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:11</p> <p>process (2) 8:24 11:9</p> <p>proposed (11) 4:19 6:6,17,24 7:7 8:21 9:6,8,10,16,22</p> <p>provide (3) 7:12 9:19,22</p> <p>provided (2) 7:16 10:3</p> <p>public (8) 1:5 3:6 6:7 9:2,11,14 11:15 12:8</p> <p>publicly (1) 11:15</p> <p>purpose (1) 7:19</p> <p>pursuant (1) 4:11</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>Queens (2) 1:21 3:24</p> <p>question (3) 4:23 8:3 10:11</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>R (1) 12:4</p> <p>raised (1) 8:19</p> <p>Randall's (1) 4:18</p> <p>Raymond (1) 1:18</p> <p>read (2) 7:5 8:9</p> <p>Reade (1) 1:8</p> <p>receipt (1) 9:25</p> <p>receive (1) 9:14</p> <p>recognizes (1) 9:18</p> <p>recommend (1) 9:17</p> <p>record (3) 7:6 11:17 12:11</p> <p>Recreation (2) 4:8,14</p> <p>regarding (3) 8:21,25 9:20</p> <p>related (3) 9:21,23 12:12</p> <p>relating (1) 6:5</p> <p>relative (2) 4:20 6:25</p> <p>reporter (1) 11:14</p> <p>REPORTING (1) 1:23</p> <p>request (1) 9:8</p> <p>required (1) 7:11</p> <p>requirement (1) 6:22</p> <p>resolution (6) 4:19,20 5:22 6:24,25 11:13</p> <p>respective (3) 7:18 9:15 10:2</p> <p>Review (5) 1:6 3:5 4:10 6:4 8:20</p> <p>Richard (1) 1:17</p> <p>RICHARDS (2) 12:8,21</p> <p>right (3) 8:11,14 10:9</p> <p>rights (1) 6:20</p> <p>River (1) 4:17</p> <p>roll (1) 3:7</p> <p>Ruiz (27) 2:3 3:8,10,12,14,16,18 3:20,22,24 4:2,7 5:8,10,12,14,16</p>
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**Franchise and Concession Review Committee Public Meeting
September 9, 2015**

5:18,21,25 10:19,21,23,25 11:3,5 11:12 Rules (1) 4:12	U uses (1) 7:24 utilize (1) 4:10	4 4.6.1 (1) 7:10
S Sanchez (3) 1:18 3:19 5:5 Saunders (4) 1:14 3:11 5:11 10:22 schedule (1) 10:4 second (6) 5:3,5,24 8:6 10:14,16 Section (2) 4:11 7:10 sections (2) 6:18,21 seek (2) 4:9 6:4 September (2) 1:10 12:17 service (3) 8:25 9:14,17 services (4) 1:23 6:21,22 7:13 set (2) 8:24 12:16 Sharon (1) 1:15 Shipp (2) 1:22 4:4 Shore (6) 2:4 7:3,9 8:9,14,16 Site (1) 4:18 Sole (1) 4:14 Soleil (1) 4:15 sorry (3) 8:11,12,15 Source (1) 4:15 specific (1) 10:8 Spector (1) 1:9 speed (1) 7:21 ss (1) 12:5 Stanley (3) 2:4 7:3 8:12 state (3) 6:20 12:5,9 statement (3) 4:23 8:3 10:10 Staten (2) 1:22 4:2 STENO-KATH (1) 1:23 Stephanie (1) 2:3 Street (1) 1:8 structure (1) 6:7 Subject (1) 7:10 submitted (2) 4:19 6:24 system (1) 6:19	V valuable (1) 9:18 various (1) 6:18 Velazquez (6) 1:21 3:25 8:6,11,15 10:16 Ventures (1) 6:12 viable (2) 9:3,5 vote (2) 5:7 10:18 voting (1) 6:13	5 6 7 8 9
T T (2) 12:4,4 take (2) 5:6 10:17 Technology (4) 2:4 6:2 7:5 8:17 Telecommunications (4) 2:5 6:2 7:5 8:18 thank (3) 3:4 11:8,19 Thanks (1) 11:11 thereto (2) 4:20 6:25 time (2) 9:13 11:21 Titan (2) 6:11,15 transaction (1) 6:13 transcript (1) 12:10 true (1) 12:10 try (1) 10:9 twice (1) 9:21 two (5) 6:3 9:12,24 10:3 11:12	W way (1) 12:14 Wednesday (1) 1:10 weeks (3) 9:12,24 10:4 WHEREOF (1) 12:16 Wi-Fi (1) 7:12 wishes (3) 4:22 8:2 10:10 WITNESS (1) 12:16 work (2) 9:2,10 working (1) 10:7	9 (1) 1:10 914.381.2061 (1) 1:24 914.722.0816 (1) 1:25 953.3767 (1) 1:24
	X X (2) 1:4,7	
	Y Yeah (1) 3:25 year (1) 9:21 York (9) 1:9,9,24 4:7,12,13 5:25 12:5,9 Yorkers (1) 7:20	
	Z	
	0	
	1 1 (1) 6:6 1-16 (1) 4:11 10007 (1) 1:9 10543 (1) 1:24 139 (1) 1:23 14th (1) 12:17	
	2 2 (1) 6:17 2:39 (1) 1:11 2:46 (1) 11:21 2015 (2) 1:10 12:17 212.95.DEPOS (1) 1:24 22 (1) 1:8	
	3	

PUBLIC MEETING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

WEDNESDAY, SEPTEMBER 9, 2015 @ 2:30 P.M.

22 READE STREET, MANHATTAN

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 MEETING. TDD USERS SHOULD CALL VERIZON RELAY SERVICE.

*Franchise and Concession Review Committee Public Meeting
Wednesday, September 9, 2015 @ 2:30 P.M.*

NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION

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 Parks and Recreation, to negotiate a Sole Source License Agreement with Cirque du Soleil America, Inc. for the operation, maintenance, and management of a circus at the Harlem River Event Site at Randall's Island Park, Manhattan.

**A proposed resolution was submitted relative thereto.
RESOLUTION FOR ADOPTION.**

**NEW YORK CITY DEPARTMENT OF INFORMATION TECHNOLOGY AND
TELECOMMUNICATIONS**

No. 2: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval relating to: 1) proposed changes in the beneficial ownership of a public communications structure franchise currently held by CityBridge, LLC ("CityBridge"), whereby Intersection Holdings, LLC ("Intersection"), will become the parent company of CityBridge member parent companies Titan Outdoor Holdings, Inc., and Control Group Ventures, LLC. By that transaction, Intersection will obtain voting control of those parent companies, and indirect control of CityBridge members Titan Outdoor LLC and CG Partners LLC; and 2) a proposed amendment to the franchise agreement that will modify various sections including the maintenance and monitoring system, state of the art, data rights, and general description of services sections. The amendment will include a requirement for services to certain City designated facilities.

**A proposed resolution was submitted relative thereto.
RESOLUTION FOR ADOPTION.**