

FEBRUARY 2024
MTA REAL ESTATE
FINANCE COMMITTEE AGENDA ITEMS

1. TRANSACTIONAL ACTION ITEMS

Metropolitan Transportation Authority

- a. License renewal with Communications Leasing Inc. for an MTA Police Department antenna at 1 Fairchild Court, Plainview, NY
- b. License with Web Food Products, Inc. for MTA Police Department vehicle parking at 143-19 94th Avenue, Jamaica, NY

MTA New York City Transit

- c. Lease with Birrialandia Corp. for the operation of a restaurant at the Coney Island – Stillwell Avenue subway station in Brooklyn, NY

MTA Metro-North Railroad

- d. License renewal with Jin CT LLC for employee vehicle parking at 120 Viaduct Road, Stamford, CT

2. INFORMATION ITEMS

- a. Temporary access agreement between NYCT and Queens Ballpark Company LLC for access to property adjacent to the Corona Substation in connection with the Substation Hardening project in Queens, NY
- b. License between NYCT and Chashama Inc. for the installation, maintenance, and display of artwork at three NYCT stations
- c. License between NYCT and NYC DOT for signage removal, installation, operation and maintenance at the St. George Ferry Terminal, Staten Island, NY
- d. Permanent easement agreement between the LIRR and MD Hossain & Suraya Hossain to facilitate the installation of an aerial platform above property adjacent to the LIRR right-of-way in connection with the Jamaica Capacity Improvement Phase II project, in Queens, NY

<u>Legal Name</u>	<u>Popular Name</u>	<u>Abbreviation</u>
<u>New York City Transit Authority</u>	<u>MTA New York City Transit</u>	<u>NYC Transit</u>
<u>The Long Island Rail Road Company</u>	<u>MTA Long Island Rail Road</u>	<u>LIRR</u>
<u>Metro-North Commuter Railroad Company</u>	<u>MTA Metro-North Railroad</u>	<u>MNR</u>
<u>Triborough Bridge and Tunnel Authority</u>	<u>MTA Bridges and Tunnels</u>	<u>MTA B&T</u>
<u>MTA Construction and Development Company</u>	<u>MTA Construction and Development</u>	<u>MTA C&D</u>
<u>MTA Bus Company</u>	<u>MTA Bus Company</u>	<u>MTA Bus</u>

Staten Island Rapid Transit Operating Authority is a subsidiary of the Metropolitan Transportation Authority. Its popular name is MTA Staten Island Railway (abbreviated as SIR).

Manhattan and Bronx Surface Transit Operating Authority is a subsidiary of the New York City Transit Authority (abbreviated as MaBSTOA).

**METROPOLITAN
TRANSPORTATION
AUTHORITY**

Staff Summary

Subject LICENSE RENEWAL WITH COMMUNICATIONS LEASING INC. FOR AN MTA POLICE DEPARTMENT ANTENNA AT 1 FAIRCHILD COURT, PLAINVIEW, NY
DEPARTMENT REAL ESTATE
Department Head Name DAVID FLORIO
Department Head Signature
Project Manager Name CHRISTINE STODDARD

Date FEBRUARY 28, 2024
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	02/26/24	X		
2	Board	02/28/24	X		

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
2	Chief Administrative Officer		
3	Chief Financial Officer		

AGENCY: Metropolitan Transportation Authority ("MTA")
LICENSOR: Communications Leasing Inc.
LOCATION: 1 Fairchild Court, Plainview, NY
PREMISES: A portion of the rooftop of the building at the Location
USE: Operation and maintenance of a rooftop antenna and related equipment for telecommunications
ACTION REQUESTED: Authorization to enter into a license renewal agreement
TERM: Five (5) years
COMPENSATION: \$26,400.00 for Year 1
ESCALATION: 3% per annum
TERMINATION: None
COMMENTS:

The MTA Police Department ("MTAPD") analog radio system radio network was replaced with updated equipment and technology at certain ideal locations for an expanded radio network configuration. The subject License is for one of 43 antennas for the updated MTAPD radio network.

The agreement was originally executed August 1, 2018, and expired July 31, 2023. The license renewal agreement proposed by the Licensor will be retroactive from August 1, 2023, and expire July 31, 2028. A fair market value (FMV) report provided by CBRE, the MTA's real estate broker, indicated a market rental range of \$2,200 to \$4,000 per month. The monthly compensation falls within the FMV range.

Based on the foregoing, MTA Real Estate requests authorization for the MTA to enter into a license renewal with Communications Leasing Inc. on the above-described terms and conditions.

Staff Summary

Subject LICENSE WITH WEB FOOD PRODUCTS, INC. FOR MTA POLICE DEPARTMENT VEHICLE PARKING AT 143-19 94TH AVENUE, JAMAICA, NY
Department REAL ESTATE
Department Head Name DAVID FLORIO
Department Head Signature
Project Manager Name ANDREW D GREENBERG

Date FEBRUARY 28, 2024
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	02/26/24	X		
2	Board	02/28/24	X		

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
3	Chief Administrative Officer		
2	Chief Financial Officer		

AGENCY: Metropolitan Transportation Authority (“MTA”)
LICENSOR: Web Food Products, Inc.
LOCATION: 143-19 94th Avenue, Jamaica, NY,
PREMISES: A portion of the parking lot consisting of 26 exclusive parking spaces
USE: MTA Police Department (“MTAPD”) vehicle parking
ACTION REQUESTED: Authorization to enter into a vehicle parking license in support of MTAPD operations
TERM: Two (2) years cancellable by either party on 60 days notice
LICENSOR WORK: Licensor will install a fence and new overhead door dividing the lot into an exclusive MTAPD parking area at MTAPD cost and expense

COMPENSATION:

Term	Fee Per Month/Per spot	Annual Rent
Occupancy – Year 2	\$382.69	\$119,400

MAINTENANCE AND REPAIRS: MTA is responsible for all maintenance and repairs within its exclusive fenced in parking area.
SECURITY DEPOSIT: None

COMMENTS:

The MTAPD is seeking to license 26 exclusive parking spaces to provide off-street parking for police vehicles due to an urgent need to cease street parking in the area. A survey of surrounding parking facilities identified several lots, however the selected Location is the optimal choice. This Location offers 26 exclusive parking spaces within a distinct fenced-off area with a dedicated entrance, ensuring accessibility 24/7. While other parking lots in the vicinity range from \$180 to \$300 per month, the additional premium for the Location provides an exclusive parking area and 24/7 access to accommodate MTAPD’s specific requirements. In addition, the Licensor has agreed to install the demising fence, a new overhead drive-

Staff Summary

**FINANCE COMMITTEE MEETING
LICENSE WITH WEB FOOD PRODUCTS, INC. FOR MTA POLICE DEPARTMENT VEHICLE PARKING AT
143-19 94TH AVENUE, JAMAICA, NY (Cont'd)**

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in door at MTAPD's expense, and will reimburse MTAPD on a straight-line basis for any unamortized costs for the fencing and overhead door if the Licensor exercises its termination rights.

Based on the foregoing, MTA Real Estate requests authorization for the MTA to enter into a license agreement with Web Food Products, Inc. for use of the Premises by the MTAPD for vehicle parking.

MTA NEW YORK CITY TRANSIT

Staff Summary

Subject LEASE AGREEMENT WITH BIRRIALANDIA CORP. AT THE CONEY ISLAND – STILLWELL AVENUE STATION, BROOKLYN, NY
Department REAL ESTATE
Department Head Name DAVID FLORIO
Department Head Signature
Project Manager Name ARTURO ESPINOZA

Date FEBRUARY 28, 2024
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	02/26/24	X		
2	Board	02/28/24	X		

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
3	Chief Administrative Officer		
2	Chief Financial Officer		

AGENCY: MTA New York City Transit (“NYCT”)
LESSEE: Birrialandia Corp., or a related entity to be formed by Lessee and approved by Lessor
LOCATION: Coney Island -- Stillwell Ave Station, Brooklyn, New York, Unit 18B
PREMISES: Approximately 1,370 square feet
USE: Restaurant specializing in Mexican cuisine
TERM: Ten (10) years
ACTION REQUESTED: Authorization to enter into a lease agreement
RENT:

Lease Year	Annual Rent	PSF	Escalation
1	\$72,000.00	\$52.55	--
2	\$72,000.00	\$52.55	--
3	\$96,000.00	\$70.07	3%
4	\$98,880.00	\$72.18	3%
5	\$101,846.40	\$74.34	3%
6	\$104,901.72	\$76.57	3%
7	\$108,048.72	\$78.87	3%
8	\$111,290.16	\$81.23	3%
9	\$114,628.80	\$83.67	3%
10	\$118,067.64	\$86.18	3%

COMMENTS:

The Location is a vacant, street-level space at the Coney Island – Stillwell Avenue subway station in Brooklyn. The Location was formerly a restaurant and was publicly offered through a Request for Proposals (“RFP”) issued July 27, 2023.

Staff Summary

FINANCE COMMITTEE MEETING

LEASE AGREEMENT WITH BIRRIALANDIA CORP. AT CONEY ISLAND – STILLWELL AVENUE STATION, BROOKLYN, NY (Cont'd.)

Two proposals were submitted which meets and exceeds the independent appraised value of \$71,600 for the first year of the lease.

Two proposals were received, and their offers are summarized below:

Proposer Name	Present Value at 6%
Jose M. Orea (Birrialandia Corp.)	\$716,384
Brooklyn Eatery	\$598,542

The highest offer came from Mr. Orea of Birrialandia Corp. which operates food trucks serving Mexican cuisine in Queens, Brooklyn, and the Bronx. The Location would be the proposed Lessee's first brick and mortar location and will be operated as a quick-service restaurant with limited seating. The Location offers the Lessee an opportunity to expand the menu and showcase its products in a high-traffic location.

A background and credit investigation performed on Mr. Jose M. Orea, the majority owner, and Birrialandia Corp. demonstrates that he and Birrialandia Corp. have very good credit and the financial resources to undertake the proposed initial improvements of at least \$200,000 and pay the rent offered.

Mr. Orea will provide a limited guaranty of the Lessee's obligations under the lease, including the obligation to perform and complete the initial improvements.

Based on the foregoing, MTA Real Estate requests authorization to enter into a lease agreement on behalf of NYCT with Birrialandia Corp. under the above-described terms and conditions.

MTA METRO-NORTH RAILROAD

Staff Summary

Subject LICENSE RENEWAL WITH JIN CT LLC FOR MNR EMPLOYEE PARKING AT 120 VIADUCT ROAD, STAMFORD, CT
Department REAL ESTATE
Department Head Name DAVID FLORIO
Department Head Signature
Project Manager Name ANDREW D GREENBERG

Date FEBRUARY 28, 2024
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

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AGENCY: MTA Metro-North Railroad ("MNR")
LICENSOR: Jin CT LLC
LOCATION: 120 Viaduct Road, Stamford, CT
PREMISES: A portion of the parking lot consisting of 35 exclusive employee parking spaces
USE: MNR employee vehicle parking
ACTION REQUESTED: Authorization to enter into a license renewal for continued employee parking in support of MNR operations
TERM: Five (5) years

COMPENSATION:	<u>Years</u>	<u>Annual Compensation</u>
	1	\$41,442.00 (approx. \$98.67 per month per spot)
	2	\$42,684.00
	3	\$43,695.00
	4	\$45,285.00
	5	\$46,644.00

MAINTENANCE AND REPAIRS: MNR is responsible for all maintenance and repairs within its exclusive parking area
SECURITY DEPOSIT: None

COMMENTS:

MNR is seeking to renew their license agreement for 35 parking spaces in support of the Springdale Maintenance of Way facility in Stamford, CT.

A survey of parking lots in the area identified multiple public parking lots, with published monthly rates within the range of \$90 to \$110 per month per space plus 6.35% taxes for non-resident parking. Accordingly, the \$98.67 per month per space starting fee at 120 Viaduct Road is consistent with the market. Licensor increases the annual fee by 3% per annum which is reflected above in the annual compensation for each year of the proposed term of the agreement.

Staff Summary

**FINANCE COMMITTEE MEETING
LICENSE RENEWAL WITH JIN CT LLC FOR MNR EMPLOYEE PARKING AT 120 VIADUCT ROAD,
STAMFORD, CT**

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The license agreement provides for either party to terminate the agreement without penalty on 270 days advance notice. MNR will continue to be responsible for snow and rubbish removal and Licensor will continue to provide utilities and outdoor lighting.

Based on the foregoing, MTA Real Estate requests authorization to enter into a license renewal agreement on behalf of MNR with Jin CT LLC for use of the Premises for employee parking.