

# **INFORMATION ITEMS**

# Staff Summary

<b>Subject</b> <b>LICENSE AGREEMENT WITH WHITNEY MUSEUM OF AMERICAN ART FOR INSTALLATION, MAINTENANCE, AND DISPLAY OF ARTWORK AT WEST 4TH STREET – WASHINGTON SQUARE STATION, JAY STREET-METRO TECH STATION AND FORDHAM ROAD STATION</b>
<b>Department</b> <b>REAL ESTATE</b>
<b>Department Head Name</b> <b>DAVID FLORIO</b>
<b>Department Head Signature</b>
<b>Project Manager Name</b> <b>RAYMOND SMYTH</b>

<b>Date</b> <b>SEPTEMBER 25, 2024</b>
<b>Vendor Name</b>
<b>Contract Number</b>
<b>Contract Manager Name</b>
<b>Table of Contents Ref. #</b>

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	09/23/24		X	
2	Board	09/25/24		X	

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

**AGENCY:** MTA New York City Transit (“NYCT”)

**LICENSEE:** Whitney Museum of American Art (“Whitney”)

**LOCATIONS:** West 4<sup>th</sup> Street – Washington Square Station, Jay Street-Metro Tech Station, and Fordham Road Station

**PREMISES:** Retail units at:  
 West 4<sup>th</sup> Street – Washington Square Station (4 Units):  
 Unit 01 – A,C,E Uptown Platform  
 Unit 02 – A,C,E Downtown Platform  
 Unit 03 – B,D Uptown Platform  
 Unit 04 – B,D Downtown Platform  
  
 Jay Street-Metro Tech Station (2 Units):  
 Unit 05 – Mezzanine Level  
 Unit 06 – Mezzanine Level  
  
 Fordham Road Station (1 Unit):  
 Unit 01 – Mezzanine

**USE:** Installation, maintenance, and display of artwork on the retail units

**TERM:** Six (6) months with month-to-month renewals thereafter

**COMPENSATION:** None

# Staff Summary

**FINANCE COMMITTEE MEETING  
LICENSE AGREEMENT WITH WHITNEY MUSEUM OF AMERICAN ART FOR INSTALLATION,  
MAINTENANCE, AND DISPLAY OF ARTWORK AT WEST 4TH STREET – WASHINGTON SQUARE  
STATION, JAY STREET-METRO TECH STATION AND FORDHAM ROAD STATION (cont'd)**

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COMMENTS:

In 2023, MTA Real Estate issued an ongoing marketing opportunity to interested individuals and entities to engage in a program whose goal is to activate former retail units throughout the NYCT system. Activation opportunities presented by interested parties are reviewed on a first-come, first serve, basis. Pursuant to the opportunity, MTA Real Estate received a request from the Whitney Museum of American Art, a 501(c)(3) not-for-profit organization, to license (7) vacant retail units listed above for the installation, maintenance, and display of vinyl artwork.

The Whitney is required to use the vinyl specs that have been pre-approved by NYCT. The license agreement includes a provision that allows for additional units in the NYCT system to be provided to Whitney for art installation at a later date. All additional spaces must be approved by NYCT. Prior to installation of any artwork, Whitney must submit all art concepts to NYCT for review and approval.

MTA Real Estate entered into a License Agreement on behalf of NYCT as described above, pursuant to the MTA Board policy approved on July 27, 2022 and amended on November 29, 2023, authorizing MTA Real Estate to enter into license agreements with individuals and non-for-profit entities to utilize MTA agency property for uses including, but not limited to, beautification, landscaping, visual displays conveying community-related information, wayfinding or other signage, community-related events, and decorative installations.

# Staff Summary

<b>Subject</b> <b>LICENSE AGREEMENT WITH BROOKLYN PUBLIC LIBRARY FOR THE INSTALLATION, MAINTENANCE AND DISPLAY OF ARTWORK AT EUCLID AVENUE STATION</b>
<b>Department</b> <b>REAL ESTATE</b>
<b>Department Head Name</b> <b>DAVID FLORIO</b>
<b>Department Head Signature</b>
<b>Project Manager Name</b> <b>RAYMOND SMYTH</b>

<b>Date</b> <b>SEPTEMBER 25, 2024</b>
<b>Vendor Name</b>
<b>Contract Number</b>
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Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	09/23/24		X	
2	Board	09/25/24		X	

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

**AGENCY:** MTA New York City Transit (“NYCT”)  
**LICENSEE:** Brooklyn Public Library (the “Library”)  
**LOCATION:** Euclid Avenue Station  
**PREMISES:** Unit 1 (Approximately +/- 84 square feet) located within the Mezzanine of the Location  
**USE:** Installation, maintenance, and display artwork  
**TERM:** Six (6) months with month-to-month renewals  
**COMPENSATION:** None

**COMMENTS:**

In 2023, MTA Real Estate issued an ongoing marketing opportunity to interested individuals and entities to engage in a program whose goal is to activate former retail units throughout the NYCT system. Activation opportunities presented by interested parties are reviewed on a first-come, first serve, basis. Pursuant to the opportunity, MTA Real Estate received a request from Brooklyn Public Library, a 501(c)(3) not-for-profit organization, to apply vinyl wrap on the Premises to serve as a “pop-up history museum”. The vinyl wrap will include historical content and information from the Center for Brooklyn History’s collections intertwined with creative content created by East New York Community members.

The Library will not perform construction on the Premises. The Library will be required to use the vinyl specs that have been preapproved by NYCT. Prior to installation of any artwork, the Library shall submit all art concepts to NYCT for review and approval.

MTA Real Estate entered into a License Agreement on behalf of NYCT as described above, pursuant to the MTA Board policy approved on July 27, 2022, and amended on November 29, 2023, authorizing MTA Real Estate to enter into license agreements with individuals and non-for-profit entities to utilize MTA agency property for uses including, but not limited to, beautification, landscaping, visual displays conveying community-related information, wayfinding or other signage, community-related events, and decorative installations.

# Staff Summary

<b>Subject</b> <b>LICENSE AGREEMENT WITH LOS HEREDEROS INC. FOR INSTALLATION, MAINTENANCE AND DISPLAY OF COMMUNITY-INSPIRED ARTWORK AND A RADIO STUDIO AT JACKSON HEIGHTS-ROOSEVELT AVENUE/74<sup>th</sup> STREET STATION</b>
<b>Department</b> <b>REAL ESTATE</b>
<b>Department Head Name</b> <b>DAVID FLORIO</b>
<b>Department Head Signature</b>
<b>Project Manager Name</b> <b>RAYMOND SMYTH</b>

<b>Date</b> <b>SEPTEMBER 25, 2024</b>
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1	Legal		
2	Chief Administrative Officer		
3	Chief Financial Officer		

AGENCY: MTA New York City Transit (“NYCT”)

LICENSEE: Los Herederos Inc. (“Los Herederos”)

LOCATION: Jackson Heights – Roosevelt Avenue/74<sup>th</sup> Street Station

PREMISES: Unit 14 (Approximately +/- 550 square feet) located on the paid Mezzanine of the Station

USE: Installation, maintenance and display of community-inspired artwork and a Radio Studio

TERM: Twelve (12) months with month-to-month renewals

COMPENSATION: None

**COMMENTS:**

In 2023, MTA Real Estate issued an ongoing marketing opportunity to interested individuals and entities to engage in a program whose goal is to activate former retail units throughout the NYCT system. Activation opportunities presented by interested parties are reviewed on a first-come, first serve, basis. Pursuant to the opportunity, MTA Real Estate received a request from the Los Herederos Inc., a 501(c)(3) not-for-profit organization, for installation, maintenance and display of community-inspired artwork and a Radio Studio at Jackson Heights – Roosevelt Avenue/74<sup>th</sup> Street Station.

Los Herederos will divide the Premises into two sections via modular divider, one half for art exhibition to display community-inspired artwork and the other half for installation of a radio studio. The Premises will be staffed three or more days a week to accommodate exhibition visitors and produce a variety of live radio broadcasts. At a minimum, Los Herederos will operate Monday, Thursday and Friday from 12:00 PM to 6:00 PM and be required to lock the gate when the space is not being used.

The section with the art installation explores transportation, movement, and sense of place. It is produced as part of a long term project that Los Herederos has undertaken with the Library of Congress to document Jackson Heights’ Diversity Plaza (the “Plaza”) as a treasured gathering place. The temporary exhibition will share multiple media formats. Documentary images captured throughout the Plaza and surrounding neighborhood will be displayed on hanging photo fabric transfers to create the sense of layered movement. Los Herederos will also pair individual portraits of local residents and the Plaza business owners (with permission) with excerpts from oral histories they contributed to the archives. The exhibition

**FINANCE COMMITTEE MEETING  
LICENSE AGREEMENT WITH LOS HEREDEROS INC. FOR INSTALLATION, MAINTENANCE AND  
DISPLAY OF COMMUNITY-INSPIRED ARTWORK AND A RADIO STUDIO AT JACKSON HEIGHTS-  
ROOSEVELT AVENUE/74<sup>th</sup> STREET STATION (cont'd)**

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prioritizes local BIPOC and immigrant community narratives and will include interpretive materials and other media assets in several of the most spoken languages in and around Queens.

The section that will be dedicated to the community radio station/studio will include Los Herederos web radio which operates under a Creative Commons License which covers all music streaming and is a non-commercial community station developed as a key branch of their organizational programming. The space will be used as the home base for the radio station broadcast and will not generate a lot of noise.

MTA Real Estate entered into a License Agreement on behalf of NYCT as described above, pursuant to the MTA Board policy approved on July 27, 2022 and amended on November 29, 2023, authorizing MTA Real Estate to enter into license agreements with individuals and non-for-profit entities to utilize MTA agency property for uses including, but not limited to, beautification, landscaping, visual displays conveying community-related information, wayfinding or other signage, community-related events, and decorative installations.

# Staff Summary

<b>Subject</b> <b>LICENSE AGREEMENT WITH EMMETT PALAIMA FOR THE INSTALLATION OF A MULTI-CHANNEL AUDIO SYSTEM TO PLAY RECORDED COMPOSITIONS AT CHAMBERS STREET STATION</b>
<b>Department</b> <b>REAL ESTATE</b>
<b>Department Head Name</b> <b>DAVID FLORIO</b>
<b>Department Head Signature</b>
<b>Project Manager Name</b> <b>RAYMOND SMYTH</b>

<b>Date</b> <b>SEPTEMBER 25, 2024</b>
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Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
2	Chief Administrative Officer		
3	Chief Financial Officer		

**AGENCY:** MTA New York City Transit (“NYCT”)  
**LICENSEE:** Emmett Palaima  
**LOCATION:** Chambers Street Station  
**PREMISES:** Unit 1 (Approximately +/- 65 square feet) on the A, C, E Platform of the Station  
**USE:** Installation a multi-channel audio system to play recorded compositions  
**TERM:** Twelve (12) months with month-to-month renewals  
**COMPENSATION:** None

**COMMENTS:**

In 2023, MTA Real Estate issued an ongoing marketing opportunity to interested individuals and entities to engage in a program whose goal is to activate former retail units throughout the NYCT system. Activation opportunities presented by interested parties are reviewed on a first-come, first serve, basis. Pursuant to the opportunity, MTA Real Estate received a request from Emmett Palaima for use of the Premises to install a multi-channel sound system within the Premises. The system will consist of eight (8) speakers connected to a multi-channel audio system playing back the recorded compositions. Speakers will be placed inside the roller gates by setting them on the floor or already existing shelving, and in the caged area on top of the unit. NYCT has approved the requested use. Mr. Palaima will submit all recorded compositions to NYCT for review and approval.

MTA Real Estate entered into a License Agreement on behalf of NYCT as described above, pursuant to the MTA Board policy approved on July 27, 2022 and amended on November 29, 2023, authorizing MTA Real Estate to enter into license agreements with individuals and non-for-profit entities to utilize MTA agency property for uses including, but not limited to, beautification, landscaping, visual displays conveying community-related information, wayfinding or other signage, community-related events, and decorative installations.

# Staff Summary

<b>Subject</b> <b>LICENSE AGREEMENT BETWEEN THE LIRR AND ARCHER TOWERS PHASE 1 DEVELOPMENT LLC FOR THE INSTALLATION, MAINTENANCE AND DISPLAY OF ARTWORK ALONG THE LIRR'S RETAINING WALL IN JAMAICA, QUEENS COUNTY, NY</b>
<b>Department</b> <b>REAL ESTATE</b>
<b>Department Head Name</b> <b>DAVID FLORIO</b>
<b>Department Head Signature</b>
<b>Project Manager Name</b> <b>SELINA STORZ</b>

<b>Date</b> <b>SEPTEMBER 25, 2024</b>
<b>Vendor Name</b>
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**AGENCY:** MTA Long Island Rail Road ("LIRR")  
**LICENSEE:** Archer Towers Phase 1 Development LLC ("Archer Towers")  
**LOCATION:** LIRR's retaining wall adjacent to the intersection of Archer Avenue and Guy R. Brewer Boulevard in Jamaica, Queens County, New York  
**PREMISES:** Approximately 7,680 square feet (320 x 24')  
**USE:** Installation, maintenance, and display of artwork  
**TERM:** One (1) year term with automatic renewals  
**COMPENSATION:** None

**COMMENTS:**

Archer Towers approached the LIRR requesting to use the Premises to install, maintain, and display artwork running along the LIRR's retaining wall adjacent to the intersection of Archer Avenue and Guy R. Brewer Boulevard in Jamaica, New York. The proposed artwork has been reviewed and approved by the LIRR.

MTA Real Estate entered into a License Agreement on behalf of the LIRR as described above, pursuant to the MTA Board policy approved on July 27, 2022 and amended on November 29, 2023, authorizing MTA Real Estate to enter into license agreements with individuals and non-for-profit entities to utilize MTA agency property for uses including, but not limited to, beautification, landscaping, visual displays conveying community-related information, wayfinding or other signage, community-related events, and decorative installations.



# Staff Summary

<b>Subject</b> <b>LICENSE AGREEMENT BETWEEN THE LIRR AND THE CITY OF LONG BEACH FOR THE INSTALLATION OF A TEMPORARY MOBILE FACILITY FOR MAINTENANCE OF EQUIPMENT PERSONNEL ADJACENT TO THE LONG BEACH STATION IN LONG BEACH, NY</b>
<b>Department</b> <b>REAL ESTATE</b>
<b>Department Head Name</b> <b>DAVID FLORIO</b>
<b>Department Head Signature</b>
<b>Project Manager Name</b> <b>XAVIER CARRERA</b>

<b>Date</b> <b>SEPTEMBER 25, 2024</b>
<b>Vendor Name</b>
<b>Contract Number</b>
<b>Contract Manager Name</b>
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2	Board	09/25/24		X	

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

**AGENCY:** MTA Long Island Rail Road (“LIRR”)  
**LICENSOR:** The City of Long Beach (“Long Beach”)  
**LOCATION:** Ground level, under the 2-story parking lot, adjacent to the existing Maintenance of Equipment facility in Long Beach, NY  
**PREMISES:** Approximately two hundred twenty-four (224) feet  
**USE:** LIRR temporary mobile facility  
**TERM:** Five (5) years with two (2) one (1) year extensions  
**COMPENSATION:** None

**COMMENTS:**

In support of the increase in operations due to the opening of Grand Central Madison, the LIRR will install a temporary mobile trailer on Long Beach property to house additional Maintenance of Equipment (“MofE”) personnel in conjunction with the adjacent MofE existing facility. The trailer will be approximately eight (8) feet by twenty-eight (28) feet and will serve as additional office space and other support for LIRR MofE personnel.

This license was issued pursuant to the MTA Board-approved policy dated September 21, 2015, and last modified June 27, 2023, which authorizes MTA Real Estate to license, lease or acquire property rights in support of MTA capital projects or ongoing operations when it is reasonably estimated that MTA’s aggregate obligation to pay compensation or reimbursement to the licensor or grantor will be less than \$100,000 over the term. This agreement is in support of LIRR operations and at no cost to the MTA.

MTA Legal has reviewed and approved as to form prior to the execution of the license. The agreement was fully executed on July 3, 2024.

# Staff Summary

<b>Subject</b> <b>SHORT-TERM PARKING PERMIT BETWEEN MNR AND BIKE NEW YORK, INC. FOR USE OF PARKING SPACES AT THE POUGHKEEPSIE STATION, POUGHKEEPSIE, NY</b>
<b>Department</b> <b>REAL ESTATE</b>
<b>Department Head Name</b> <b>DAVID FLORIO</b>
<b>Department Head Signature</b>
<b>Project Manager Name</b> <b>JASON ORTIZ</b>

<b>Date</b> <b>SEPTEMBER 25, 2024</b>
<b>Vendor Name</b>
<b>Contract Number</b>
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<b>Table of Contents Ref. #</b>

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	09/23/24		X	
2	Board	09/25/24		X	

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

**AGENCY:** MTA Metro-North Railroad (“MNR”)  
**PERMITTEE:** Bike New York, Inc.  
**LOCATION:** Poughkeepsie Station, Poughkeepsie, New York  
**PREMISES:** Approximately 378 parking spaces at the station parking lot  
**USE:** Use of Station’s parking spaces for event parking  
**TERM:** Saturday, July 13, 2024, 5:30am to 11:59pm  
**COMPENSATION:** None

**COMMENTS:**

Pursuant to the Board-approved policy on October 24, 2002, governing the short-term licensing of railroad facilities by municipal and not-for-profit corporations for non-commercial activities, Bike New York, Inc. has been granted permission to utilize approximately 378 parking spaces at the Premises for its annual “Discover Hudson Valley Ride” event held on July 13, 2024, from 5:30am to 11:59pm.

MTA Legal drafted the permit agreement, approved as to form and Bike New York, Inc. provided appropriate insurance coverage and indemnification.

**REPORT ON RETAIL AGREEMENTS ENTERED INTO DIRECTLY BY THE REAL ESTATE DEPARTMENT  
PURSUANT TO MTA BOARD POLICY**

**SEPTEMBER, 2024**

Agency/Transaction Manager	Renewal/RFP Generated	(Lessee or Licensee)	Location/ Use	Term	Rental	Annual Increases	Price/SF
<b>MNR/ Kim Trevisan</b>	New License	Licensee/ Neuhaus Inc.	Grand Central Terminal/ Imported Chocolates	3 Years	Year 1 \$108,000.00 Year 2 \$111,240.00 Year 3 \$114,577.20 <b>TOTAL \$333,817.20</b>	Year 2 3% Year 3 3%	Year 1 \$565 Year 2 \$582 Year 3 \$600
<b>MNR/ Kim Trevisan</b>	New License	Licensee/ Innasense Gems Inc.	Grand Central Terminal/ Women's Jewelry	3 Years	Year 1 \$52,200.00 Year 2 \$53,766.00 Year 3 \$55,378.98 <b>TOTAL \$161,344.98</b>	Year 2 3% Year 3 3%	Year 1 \$200 Year 2 \$206 Year 3 \$212
<b>MNR/ Kim Trevisan</b>	Amendment to License	Licensee/ Doughnut Plant	Grand Central Terminal/ Doughnuts	3 Years	Year 1 \$78,000.00 Year 2 \$80,340.00 Year 3 \$82,750.20 <b>TOTAL \$241,090.20</b>	Year 2 3% Year 3 3%	Year 1 \$394 Year 2 \$406 Year 3 \$418