



MINUTES OF A SPECIAL MEETING
OF THE LEGAL AFFAIRS COMMITTEE
OF
NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION
June 11, 2021

A special meeting of the Legal Affairs Committee (the "Committee") of the Board of Directors of New York City Economic Development Corporation ("NYCEDC") was held telephonically on Friday, June 11, 2021.

The following members of the Committee were present by conference telephone:

Cheryl Adolph
Matthew Hiltzik
Betty Woo

Members of NYCEDC staff also were present.

The meeting was chaired by Ms. Woo and called to order at 4:01 p.m. Meredith Jones, General Counsel, an Executive Vice President and Secretary of NYCEDC, served as secretary of the duly constituted meeting, at which a quorum was present.

1. Approval of the Minutes of the March 18, 2021 Legal Affairs Committee Special Meeting

There being no questions or comments with respect to the minutes of the March 18, 2021 special Committee meeting, a motion was made to approve such minutes, as submitted. Such motion was seconded and unanimously approved.

2. Outside Counsel: Legal Retainer Agreement

Jill Braverman, an Assistant General Counsel of NYCEDC, presented proposed agreements with each of Leon I. Behar, P.C. ("Behar") and Rozario Touma, P.C. ("Rozario") for the provision of legal services pertaining to landlord-tenant pre-litigation and litigation matters (including collections), related commercial litigation matters and other associated legal matters in connection with properties and documents managed, leased, owned and/or administered by NYCEDC, on substantially the terms set forth in Exhibit A hereto.

Ms. Braverman stated that the Behar and Rozario firms were both certified Minority/Women-owned Business Enterprises.

In answer to a question from Ms. Adolph, Ms. Braverman explained that NYCEDC's current legal retainer with Behar would expire in summer of 2021 and that, although there was currently a moratorium on commercial evictions, the volume of project work was sufficient to support retaining two firms.

At this time, Ms. Woo stated that the New York City Law Department approved the retention and rates of Behar and Rozario for this matter.

It was moved that the Committee authorize NYCEDC to enter into a legal retainer agreement with each of Behar and Rozario for legal matters in connection with properties and documents managed, leased, owned and/or administered by NYCEDC, substantially as described in Exhibit A hereto. The motion was seconded and unanimously approved.

3. Adjournment

There being no further business to come before the meeting, pursuant to a motion made, seconded and unanimously approved the meeting of the Committee was adjourned at 4:07 p.m.

Secretary

Dated: _____
New York, New York

EXHIBIT A

OUTSIDE COUNSEL: LEGAL RETAINER AGREEMENT
Executive Committee Meeting
June 22, 2021

Project Description:	Provision of legal services pertaining to landlord-tenant pre-litigation and litigation matters (including collections), related commercial litigation matters and other associated legal matters in connection with properties and documents managed, leased, owned and/or administered by NYCEDC
Borough:	Citywide
Type of Contract:	Legal retainer agreements (the “Agreements”)
Amount to be Approved:	Up to \$2,000,000 in the aggregate
Type of Funds:	NYCEDC’s programmatic budget funds
Procurement Method:	A publicly advertised RFP

Agreements to be Approved: An Agreement with each of Leon I. Behar, P.C. (“Behar”) and Rozario Touma, P.C. (“Rozario”) pursuant to which NYCEDC will retain such law firms for Project services, and amendments to such Agreements

Scope of Work: NYCEDC performs property management services with regard to City and NYCEDC properties and leases and other occupancy and use agreements. NYCEDC desires to retain Behar and Rozario as outside counsel to render landlord-tenant pre-litigation and litigation services (including collections) and representation in connection with related commercial litigation matters and other associated legal matters, in connection with such properties and documents. Behar has been performing similar services for NYCEDC for several years.

The Agreements will be for approximately a five year term but will be terminable by NYCEDC, Behar and Rozario at will. Each of the contractors will be paid at the blended rate of \$325 per hour for attorneys and fixed fees ranging from \$100 to \$275 for preparing certain notices and court documents. The contractors will also be reimbursed for out-of-pocket expenses.

Pursuant to its role under NYCEDC’s annual contracts with the City, the City’s Law Department has approved the retention of each of the contractors and their rates.

Proposed Resolution: To authorize the President and any empowered officer to enter into the Agreements substantially as described herein and any needed amendments thereto

Relevant Staff: Julie Gresack, Vice President, Asset Management
Jill Braverman, Assistant General Counsel, Legal

Project Code: 1168