NYC / EDC

MINUTES OF A SPECIAL MEETING
OF THE LEGAL AFFAIRS COMMITTEE
OF
NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION
June 16, 2026

A special meeting of the Legal Affairs Committee (the "Committee") of the Board of Directors of New York City Economic Development Corporation ("NYCEDC"), called at the direction of the Interim President of NYCEDC, was held, pursuant to notice by an Assistant Secretary, on Tuesday, June 16, 2026, in Conference Room 14C (*Prospect*), on the 14th Floor at the offices of NYCEDC at One Liberty Plaza, New York, New York.

The following members of the Committee were present:

Matthew Hiltzik
James McSpiritt
Betty Woo

Members of NYCEDC staff also were present.

The meeting was chaired by Ms. Woo, Chairperson of the Committee, and called to order at 9:48 a.m. Mark Silversmith, a Special Counsel and Assistant Secretary of NYCEDC, served as secretary of the duly constituted meeting, at which a quorum was present.

1. <u>Approval of the Minutes of the April 28, 2026 Special Meeting of the Legal Affairs Committee</u>

There being no questions or comments with respect to the minutes of the April 28, 2026 special Committee meeting, a motion was made to approve such minutes, as submitted. Such motion was seconded and unanimously approved.

2. <u>Belkin Burden Goldman, LLP Legal Retainer</u>

At this time, Randi Cohen, a Senior Counsel of NYCEDC, presented a proposal for (i) a legal retainer agreement with Belkin Burden Goldman, LLP ("Belkin") for the provision of legal services by Belkin in connection with the West 100th Street Development Project (the "Project"), a proposed mixed-use development in Manhattan that will include mixed-income housing, that includes affordable housing, and a library facility, and related matters, and (ii) any needed agreement(s) necessary to obtain funds ("Funding Source Agreements") related to these project services, on substantially the terms set forth in Exhibit A hereto.

At this time, Ms. Cohen noted that NYCEDC had received 11 responses to the RFP for the retainer, and had interviewed four firms, which were subsequently narrowed down to two firms, Venable LLP and Belkin, and that NYCEDC ultimately decided to retain Belkin for the Project services.

In answer to a question from Mr. McSpiritt, Ms. Cohen stated that NYCEDC had projects that involved the Brooklyn Public Library ("BPL"). Following a brief discussion among Mr. McSpiritt and Ms. Woo, Ms. Woo stated that the Sunset Park project that involved BPL was handled by the New York City Department of Housing Preservation and Development. Ms. Cohen then noted that the proposed Project was a mixed-use development and would include mixed-income housing under 485-X. In answer to a second question from Mr. McSpiritt, Ms. Cohen stated that none of the responders for the proposed Project had worked on the Sunset Park deal.

In answer to a question from Mr. Hiltzik, Ms. Cohen stated that Belkin had experience representing developers in various aspects on some City of New York (the "City") projects. In answer to a second question from Mr. Hiltzik, Ms. Cohen stated that Belkin's pricing for the Project was significantly cheaper than the other respondents, that Belkin was a smaller firm that focused only on real estate, that Belkin had solid experience and seemed knowledgeable about transactional documents, and that Belkin would likely be helping negotiate with multiple parties and developers. At this time, in response to Ms. Cohen noting that Belkin had asked whether the biannual rate increases of up to 3% would begin in January 2028 or 2 years from the start of Project work, Ms. Woo stated that it could be either and that January 2028 was acceptable. In answer to an additional question from Mr. McSpiritt, Ms. Cohen stated that BPL would have its own counsel for the Project.

It was then moved that the Committee approve that NYCEDC retain Belkin for services substantially as described in Exhibit A hereto. The motion was seconded and unanimously approved.

3. <u>Adjournment</u>

There being no further business to come before the meeting, the meeting of the Committee was adjourned at 9:55 a.m.

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Assistant Secretary

Dated: ____________________________
New York, New York

Exhibit A

BELKIN BURDEN GOLDMAN, LLP LEGAL RETAINER
Executive Committee Meeting
June 16, 2026

Project Description:	Provision of legal services by Belkin Burden Goldman, LLP (“Belkin”) in connection with the West 100th Street Development Project (the “Project”), a proposed mixed used development in Manhattan that will include mixed-income housing, that includes affordable housing, and a library facility, and related matters
Types of Contracts:	Legal retainer agreement and any needed Funding Source Agreement(s)
Amount to be Approved:	Up to $300,000
Type of Funds:	NYCEDC programmatic budget funds anticipated to be reimbursed by funds provided by the developer(s) of the Project
Procurement Method:	RFP

Agreement to be Approved: Legal retainer agreement with Belkin for Project services (the “Retainer Agreement”)

Scope of Work: Legal services related to the Project, including, without limitation, services related to the drafting, negotiation and execution of term sheets, contracts of sale, pre-development agreements, deeds and/or ground leases, as well as ancillary documents. It is anticipated that improvements on a site on West 100th Street in Manhattan (the “Site”) that currently houses a New York Public Library facility (the “NYPL”) and a Department of Health and Mental Hygiene (“DOHMH”) facilty will be demolished and developed with a mixed-income housing development that will include affordable housing under 485-x and a new NYPL facility. It is anticipated that the NYPL facilty currently located on the Site will be temporarily relocated to a site in the vicinity to be determined and relocated back to the Site when construction is completed. The DOHMH facility will be permanently relocated from the Site. It is anticipated that one or both relocation sites are to be fit out by the developer(s) of the Site. To date, the response period for the RFP for a developer has closed and responses are being reviewed

.Belkin will be paid generally at the following rates per hour:

- $550-$775 for partners,
- $430-$575 for associates with 5 or more years of experience,
- $385 for associates with less than 5 years but more than 1 year of experience

- $360 for land use/zoning law clerks,
- $290 for 1st year associates and paralegals.

The above hourly rates may be increased by up to 3% every 2 years, provided that the first such increase may be at any time on or after January 1, 2028. Belkin will also be reimbursed for certain other expenses..

The City's Law Department has approved the rates and retention of Belkin for Project services.

Proposed Resolution: To authorize the President and any empowered officer to enter into the Retainer Agreement and any needed Funding Source Agreement(s), substantially as described herein

Relevant Staff: Judy Fensterman, Assistant General Counsel, Legal
Jill Braverman, Assistant General Counsel, Legal
Randi Cohen, Senior Counsel, Legal

NYCEDC Project Code: 11749

OUTSIDE LANDLORD-TENANT COUNSEL LEGAL RETAINERS
Executive Committee Meeting
August 4, 2026

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 (the "Project").
Borough:	Citywide
Type of Contract:	Legal retainer agreements (the "Agreements")
Amount to be Approved:	Up to $3,200,000 in the aggregate
Type of Funds:	NYCEDC programmatic budget funds
Procurement Method:	Publicly advertised RFP. NYCEDC received proposals from ten firms and interviewed three. It selected two firms after taking into account (a) their extensive experience in handling commercial landlord-tenant matters; and (b) their experience and expertise in the specialized practice area of landlord-tenant proceedings in the courts of The City of New York.
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 both law firms for Project services, and any needed amendments to such Agreements

Scope of Work: NYCEDC performs property management services with regard to City and NYCEDC properties and leases and other City and NYCEDC licenses, permits, 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 related documents) managed, leased, owned and/or administered by NYCEDC. Behar and Rozario both have been performing similar services for NYCEDC for several years.

In providing services to facilitate the Project, the Agreements will be terminable by any of NYCEDC, Behar and Rozario at will. Each of Behar and Rozario will be paid at hourly rates of $425 for partners and senior associates, $400 for mid-level associates, $350 for junior associates, $150 for paralegals and law school interns and $125 for legal assistants. The firms will also be paid fixed fees ranging from $100 to $325 for preparing certain notices and court documents. Behar and Rozario will also be reimbursed for certain out-of-pocket expenses. Pursuant to its role under NYCEDC's annual contracts with the City, the City's Law Department has approved the above rates and retention of Behar and Rozario for this work.

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: Jill Braverman, Assistant General Counsel, Legal
Steve Lazarus, Senior Vice President, Asset Management
Julie Gresack, Vice President, Asset Management

NYCEDC Project Code: 1168