

**Brooklyn Bridge Park Corporation d/b/a  
Brooklyn Bridge Park  
Meeting of the Directors  
Held at City Hall, New York, NY**

**September 22, 2010**

**MINUTES**

Directors: ROBERT STEEL - CHAIRMAN  
PETER ASCHKENASY  
ADRIAN BENEPE  
ANITA CONTINI  
DAVID G. OFFENSEND  
SETH PINSKY  
NANETTE SMITH  
MATTHEW WAMBUA  
PETER DAVIDSON  
DANIEL E. SIMMONS  
PAUL NELSON  
JOHN RASKIN  
MARTIN CONNOR  
DEBRA FEINBERG  
JUNY FRANCOIS

Brooklyn Bridge Park Staff:

Regina Myer, President  
David Lowin, Treasurer  
Jennifer Klein, Secretary  
Ellen Ryan, Vice President  
Paul Kelly, General Counsel  
Jeffrey Sandgrund, Director of Operations  
Thelma Washington, Executive Assistant

Also present were: staff of the Mayor's Office, the New York City Economic Development Corporation, and members of the press and public.

Robert Steel, as Chairman of the Board of Directors, called the meeting to order at approximately 10:05 AM and requested that Jennifer Klein, Secretary of the Corporation, act as secretary for the meeting to confirm that there was a quorum. Ms. Klein accepted and confirmed that a quorum was present.

The first order of business was the approval of the minutes of the July 21, 2010 meeting of the Directors. Chairman Steel asked if there were any changes or corrections. There being none, he then requested a motion to approve the resolution. Upon the motion being duly made and seconded, the following resolution was unanimously adopted:

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September 22, 2010

APPROVAL OF MINUTES TAKEN AT THE JULY 21, 2010 MEETING OF THE  
DIRECTORS OF THE BROOKLYN BRIDGE PARK CORPORATION

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BE IT RESOLVED, that the Board of Directors hereby approves the minutes of the Board of Directors meeting held on July 21, 2010, as distributed to the Board of Directors in advance of the meeting.

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Next, Chairman Steel announced the second item on the agenda, which was the establishment of the Committee on Alternatives to Housing, or the CAH, and related authorizations, including the authorization for the Corporation to enter into a contract with an External Consultant approved by the CAH. He asked David Lowin to present the item for consideration.

Mr. Lowin presented the item for consideration to the Directors. He stated that on March 8, 2010, in anticipation of transfer of control of Brooklyn Bridge Park to a City-created entity, the Brooklyn Bridge Park Corporation, the City of New York, State Senator Squadron, and State Assembly Member Millman entered into a Memorandum of Understanding ("MOU") regarding certain actions that the Corporation would undertake regarding the analysis of potential alternative sources of funding for the maintenance and operations budget of the Park, including the creation of a Committee on Alternatives to Housing.

He stated that the Committee would be comprised of six members. Three appointed by the Mayor, one by the State Senator, and one by the State Assembly Member, and one by the Governor. He stated that the proposed members of the CAH were as follows: the three Mayoral appointments will be Deputy Mayor Steel, Matthew Wambua and Seth Pinsky, with Deputy Mayor Steel serving as Chair. The State Senator's appointment would be

John Raskin, the State Assembly Member's appointment would be Paul Nelson, and the Gubernatorial appointment would be Peter Davidson.

Mr. Lowin went on to state that one of the first tasks laid out for the CAH by the MOU was the retaining of an External Consultant to help them in their investigation of alternative revenue sources. Specifically, he said it was required to happen within 30 days of the forming of the CAH. The External Consultant will be selected via a public competitive Request for Proposals, or RFP, process. The RFP will be advertised in the City Record and will be available for download from both of the Corporation and EDC's web sites. He said that the selected Consultant would be subject to approval by a majority of the CAH, including at least two members appointed by the Mayor and two appointed by officials other than the Mayor and that the Corporation would enter into a contract with the External Consultant.

Mr. Lowin further stated that the maximum fee payable to the Consultant for services would be \$100,000. The Consultant shall assist the CAH in determining which sources, if any, may be relied upon to finance the ongoing operations of the park in lieu of revenues from the John Street and Pier 6 sites. No source shall be deemed to be an Alternative Source by either the CAH or the External Consultant unless the CAH, after due analysis and diligence, concludes by majority vote that such source is not in any way displacing revenue to which the City is otherwise entitled, and the timing of, and level of risk associated with revenue projected to be generated by the John Street and Pier 6 sites. The Corporation and the CAH will perform their respective tasks and duties set forth in the MOU and by-laws, including the scheduling of public hearings and the production of a report for the Directors.

Mr. Lowin then requested the Directors to authorize the establishment of the Committee on Alternatives to Housing, the appointment of the Members as described above, and to authorize the Corporation to enter into an agreement with an External Consultant to be approved by the CAH for a fee not to exceed \$100,000, and to undertake other such tasks as set forth in the materials, in the MOU and in the by-laws.

Mr. Steel then asked if any Directors had any questions or comments or anything they'd like to discuss with regard to David's comments on the proposed item.

Director Raskin stated that the creation of the Committee on Alternatives to Housing was an essential element of the MOU that allowed the transfer of the Park and was very important to the community, obviously, and Senator Squadron. He said he wanted to note that he appreciated that BBP staff worked very carefully with us to make sure the resolution here as well as the RFP that we'll talk about at the committee meeting is faithful to the MOU, and it's very delicate language and a very delicate thing, and that staff worked with us to make sure everything that we're working through today is actually taken directly from the Agreement that we had previously.

Mr. Steel asked if there were other comments. There being none he asked for a motion to approve the resolutions. Upon the motion being duly made and seconded, the following resolutions were unanimously adopted:

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September 22, 2010

BROOKLYN BRIDGE PARK CORPORATION – AUTHORIZATION TO ESTABLISH THE COMMITTEE ON ALTERNATIVES TO HOUSING; AUTHORIZATION TO APPOINT THE MEMBERS OF THE COMMITTEE; AUTHORIZATION FOR THE COMMITTEE TO ASSIST THE CORPORATION IN THE RETENTION OF AN EXTERNAL CONSULTANT; AUTHORIZATION FOR THE CORPORATION TO ENTER INTO A CONTRACT WITH AN EXTERNAL CONSULTANT APPROVED BY THE COMMITTEE FOR A FEE NOT TO EXCEED \$100,000; AUTHORIZATION FOR THE COMMITTEE AND THE EXTERNAL CONSULTANT TO PERFORM SUCH TASKS AS SET FORTH IN THE MATERIALS, IN THE MEMORANDUM OF UNDERSTANDING DESCRIBED IN THE MATERIALS AND IN THE BY-LAWS OF THE CORPORATION; AND AUTHORIZATION TO TAKE RELATED ACTIONS

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BE IT RESOLVED, that upon the basis of the materials presented at this meeting (the “Materials”), a copy of which Materials is hereby ordered filed with the records of the Corporation, the Corporation is hereby authorized to establish the Brooklyn Bridge Park Committee on Alternatives to Housing the (“CAH”); and be it further

RESOLVED; resolved that the following persons shall be the members of the CAH:

Robert Steel, Chair	Mayoral Appointment
Matthew Wambua	Mayoral Appointment
Seth Pinsky	Mayoral Appointment
John Raskin	State Senator Appointment
Paul Nelson	State Assembly Member Appointment
Peter Davidson	Gubernatorial Appointment;

and be it further

RESOLVED, that the CAH shall, within 30 days of the date hereof, assist the Corporation in the retention of an External Consultant (“EC”) through a request for proposals process. The EC selected pursuant to the procurement process shall be approved by a majority of the CAH (including the vote of at least two members appointed by the Mayor and two members appointed by officials other than the Mayor); and be it further

RESOLVED, that the Corporation is authorized and directed to enter into a contract with the EC approved by the CAH and that the maximum fee payable to the EC for services rendered shall be \$100,000; and be it further

RESOLVED, that the Corporation and the CAH will perform their respective duties and tasks set forth in the Materials, in the MOU described in the Materials and in the by-laws of the Corporation, including the scheduling of public hearings and the production of a report for the Directors; and be it further

RESOLVED; that the President of the Corporation and her designees be and each hereby is authorized and empowered to take all actions and to execute such contracts or documents as she or they may deem necessary or appropriate to effectuate these resolutions.

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Mr. Steel then announced that the third item on the agenda for today was related to the establishment of the Community Advisory Council. He asked Ellen Ryan to present this item.

Ms. Ryan thanked Mr. Steel and presented the item. She noted that a March 8, 2010 Term Sheet among the City of New York, the State of New York, the New York State Urban Development Corporation, regarding the restructuring of the Brooklyn Bridge Park project, included a provision that a Brooklyn Bridge Park Community Advisory Council be established with membership identified by local elected officials. The Term Sheet further specified that the CAC will have formal reporting responsibilities to the Board of Directors of the Brooklyn Bridge Park Corporation. She said that the CAC will be the primary forum through which the community will provide feedback and comments to the Corporation on its major initiatives and policies.

She said that the By-Laws of the Corporation further require that the initial membership of the CAC be comprised of 27 members that represent a wide variety of local interests and concerns. Staff request the Directors to appoint the 25 individuals listed in the memo. The remaining two initial members of the Advisory Council will be appointed at the next meeting of the Corporation's Board. She said that in the future, any additional members of the CAC will be appointed as provided in accordance with the Term Sheet and in the by-laws to be developed and adopted by the CAC. The CAC shall develop and adopt its own by-laws which will pertain to, among other things, terms of office, selection of officers of the CAC, voting, the formation of committees, and the scheduling of meetings. Such by-laws and any amendments thereto shall become effective only upon affirmative vote of the majority of the CAC and subsequent approval by the vote of the Corporation.

She stated that Staff further requested the Directors to appoint Nancy Webster and John Dew as the co-chairpersons of the CAC for its first year of its existence, or until such time as a new chairperson is appointed as set forth in the CAC by-laws. The Chair of the CAC shall present a report from the CAC at least once a year to the Board of Directors of the Corporation.

Ms. Ryan asked the directors to authorize the establishment of the CAC, to authorize the appointment of its initial members as set forth in these materials, to appoint Nancy Webster and John Dew as co-chairpersons of the Advisory Council for its first year, or until such time as a new chair is appointed pursuant to the by-laws of the CAC, and to authorize the taking of related actions. She concluded by thanking the Governance Committee for opining on this last week and, in particular, to thank Chair Anita Contini.

Mr. Steel thanked Ms. Ryan and asked if any Directors have any questions, or wish to discuss any of the aspects of the proposed motion.

Director Nelson asked whether a copy of the CAC By-Laws was ready yet.

Ms. Ryan stated that they weren't ready yet. That staff was looking at models, including the Hudson River Park Trust's CAC, and staff would circulate that as a start.

Mr. Steel asked when a draft would be circulated.

Ms. Ryan said she expected that the first meeting of the CAC will be in late October and that a draft of the by-laws would be presented at that first meeting.

Mr. Steel then asked if there were any further questions or comments. There being none he then asked for a motion to approve the resolution. On the motion being duly made and seconded; the following resolutions were unanimously adopted:

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**September 22, 2010**

**BROOKLYN BRIDGE PARK CORPORATION - AUTHORIZATION TO ESTABLISH THE BROOKLYN BRIDGE PARK COMMUNITY ADVISORY COUNCIL, AUTHORIZATION TO APPOINT ITS INITIAL MEMBERS, AUTHORIZATION TO APPOINT ITS INITIAL CHAIRPERSONS AND AUTHORIZATION TO TAKE RELATED ACTIONS.**

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BE IT RESOLVED, that upon the basis of the materials presented at this meeting (the "Materials"), a copy of which Materials is hereby ordered filed with the records of the Corporation, the Corporation is hereby authorized to establish the Brooklyn Bridge Park Community Advisory Council ("BBPCAC"); and be it further

RESOLVED; resolved that the following persons shall be the initial members of the BBPCAC:

Angela Ferrante  
Peter Flemming  
Tom Potter  
Howard Kolins  
Judi Francis  
Nancy Webster  
Milton Puryear  
Jane Carroll McGroarty  
Seth Unger  
Maria Pagano  
Roy Sloane  
Norman Cox  
John Dew  
David Reiss  
Ursula Hahn  
Elizabeth Toledo  
Matthew Parker  
TK Small  
Doreen Gallo  
Paul Palazzo  
Joan Zimmerman  
Ed Brown  
Kate Collignon  
Adam Meshberg  
Ben Bankson

and be it further;

RESOLVED, that Nancy Webster and John Dew are named Co-Chairpersons of the BBPCAC for a period of one years or until such time as a new Chairperson is appointed pursuant to the terms of the BBPCAC by-laws: and be it further

and be it further;

RESOLVED, that the President of the Corporation and her designees be and each hereby is authorized and empowered to take all actions and execute such documents as she or they may deem necessary or appropriate to effectuate these resolutions.

Mr. Steel next announced that the fourth item on today's agenda was the presentation of three different sets of policies for adoption for the Corporation. These include Park rules, the procurement policy for the Corporation, and a Code of Ethics for Officers and Directors of the Corporation. He asked Jennifer Klein to present these three items.

Ms. Klein thanked Chairman Steel and said she would go into each of these items separately.

Park Rules - In an effort to ensure a high level of safety at Brooklyn Bridge Park, Ms. Klein said the Corporation was seeking promulgation of the rules attached to the materials as Exhibit A so that they may be enforced by PEP officers and NYPD on-site. The park rules define the structure for park usage. While the goal is that the public should enjoy the Park, such enjoyment exists within a setting that is defined by a framework of rules. These rules outline the general principles of acceptable public behavior and are the basis by which the park operations and maintenance staff ensures a safe and comfortable environment for park patrons.

Procurement Policy - Ms. Klein stated that at the July 21, 2010 meeting of the Corporation's Directors, the Directors directed the President to develop a procurement policy for Brooklyn Bridge Park. This procurement policy, attached as Exhibit B to the materials, outlines the requirements that the Brooklyn Bridge Park President and staff must abide by before entering into contracts for goods and/or services, and ensures that the Corporation will make procurement decisions in a competitive and fiscally responsible manner. The proposed Procurement Policy is substantially based on the existing procurement policy of the New York City Economic Development Corporation.

Code of Ethics – Ms. Klein stated that the Code of Ethics attached as Exhibit C to the materials provides the Directors and Officers with the rules and guidelines of the Corporation for handling conflicts of interest and appropriate reporting, and also allows public confidence that the leadership of the Corporation will operate responsibly. Specifically, this Code is intended to promote honest and ethical conduct, including the proper handling of actual or apparent conflicts of interest between personal and professional relationships, and full, fair and understandable disclosure in the periodic reports required to be filed hereby. This Code provides examples of situations involving conflicts of interest, establishes disclosure procedures, and outlines the corrective action for violations. This Code is also substantially based on the existing Codes of Ethics of the New York City Economic Development Corporation.

Ms. Klein then asked the Directors to authorize the Corporation to promulgate the attached Brooklyn Bridge Park Rules, to adopt the Brooklyn Bridge Park Procurement Policy, and also adopt the Brooklyn Bridge Park Code of Ethics.



Mr. Steel thanked Ms. Klein and asked if any have questions or observations about any of the three proposed plans.

Mr. Raskin stated that we've had some back and forth conversations behind the scenes and that he wanted to make sure this Park, as much as possible, resembles other City parks and is run the same way, etcetera. He said he understood there was conscious thought that went into creating the rules and he wanted to know how they differed from City park rules.

Director Benepe stated the rules were based on rules for other City parks but adapted, in some specific areas, such as boat usage and launches. He said they were probably 99.5 percent based on the rules on other parks, and that Parks had to do a similar exercise with Hudson River Park, which was also a new park with joint city-state jurisdiction.

Mr. Raskin then asked whether the procurement and ethics policies were also based on City policy. Ms. Klein responded that they were based on New York City Economic Development Corporation's existing Procurement Policy and Code of Ethics and were substantially the same. The one difference she noted in the procurement policy was that we have a guideline that we have to have at least three vendors for capital contracts rather than five. This is particularly important in things like maritime work, which where we're doing a lot right now, where there's a very limited amount of vendors out there. She said the Code of Ethics is exactly the same as the EDC's Code of Ethics. It was reviewed by Corporation Counsel as well as in the Audit and Finance Committee, and we believe that Governors Island is also going to be adopting the same Code of Ethics.

Mr. Steel asked if there were any further questions or comments. There being none, he then asked for a motion to approve the resolutions. Upon the motion being duly made and seconded, the following resolutions were unanimously adopted:

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September 22, 2010

BROOKLYN BRIDGE PARK CORPORATION - AUTHORIZATION TO PROMULGATE  
BROOKLYN BRIDGE PARK RULES, AUTHORIZATION TO ADOPT THE BROOKLYN  
BRIDGE PARK PROCUREMENT POLICY, AUTHORIZATION TO ADOPT THE  
BROOKLYN BRIDGE PARK CODE OF ETHICS AND AUTHORIZATION TO TAKE  
OTHER ACTIONS

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BE IT RESOLVED, that upon the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, the Corporation is

hereby authorized to promulgate the Brooklyn Bridge Park Rules attached hereto as Exhibit A; and be it further

RESOLVED, that the Corporation is hereby authorized to adopt the Brooklyn Bridge Park Procurement Policy attached hereto as Exhibit B; and be it further

RESOLVED, that the Corporation is hereby authorized to adopt the Brooklyn Bridge Park Code of Ethics attached hereto as Exhibit C; and be it further

RESOLVED, that the President of the Corporation and her designees be and hereby is authorized and empowered to take all actions and execute such documents as she or they may deem necessary or appropriate to effectuate these resolutions

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Mr. Steel then stated he would move onto the final voting item for today's meeting, which was the Affirmation and Authorization to enter into licenses and permits of Brooklyn Bridge Park and one-year extensions for two of the permits. He asked that David Lowin present the item.

Mr. Lowin thanked the Chairman and presented the item.

Mr. Lowin noted that in May 2010 the Directors of the Brooklyn Bridge Park Development Corporation had authorized the Development Corporation to enter into license and permit agreements with four food concessionaires at Pier 1 pursuant to a public RPF process earlier that year. With the transfer of control of Brooklyn Bridge Park from the Development Corporation to BBP, certain contracts and agreements that were previously held by BBPDC were assigned to BBP. However, since many of these license and permit contracts regarding concessionaires were not yet finalized, they could not be transferred over at the date of closing. The four food concessionaires that were approved by the BBPDC Board were Ditch Plains Drop-In, Brooklyn Bridge Wine Bar, Calexico Carne Asada and Blue Marble Ice Cream. The material terms of each of those four Licenses and Permit Agreements were set forth in the May 6, 2010 Board of Directors memo for BBPDC, which was attached as Exhibit A to this item.

Mr. Lowin stated that while both Calexico and Blue Marble were able to begin operations in July 2010 as had been planned, and had been paying fees to BBP pursuant to their permits, due to issues beyond the Corporation's and the concessionaires' control, neither the wine bar nor Ditch Planes Drop-In have been fully operational through September, as required utilities were not provided. Ditch Plains has been operating during major peak park events such as Thursday night "Movies with a View" series, and the Wine Bar has been operating with a limited menu. Both of these concessionaires have effectively missed

their opportunity to serve during the summer 2010 park season, and, accordingly, the staff is requesting a one-year extension to each of their permits.

Mr. Lowin stated that the staff was requesting the Directors to authorize Brooklyn Bridge Park to affirm and authorize the Corporation to enter into license and permit agreements as described above with Anvil NY, which is the corporation that operates Ditch Plains Drop-In, Brooklyn Bridge Wine Bar, Calexico Carne Asada and Blue Marble Ice Cream as described in the attached memo from the Brooklyn Bridge Park Development Corporation, and to extend the terms for both Brooklyn Bridge Wine Bar and Ditch Plains Drop-In for one additional year each.

Mr. Steel thanked Mr. Lowin and asked if there were any questions.

Director Simmons asked that since the Wine Bar and Ditch Plains were able to partially operate, should they have paid partial rent?

Mr. Lowin answered that Ditch Plains Drop-In, really only operated during the "Movies with a View" series on Thursday nights as an amenity to increase the experience of park goers to those events, and there was very limited revenue that was made during that time. Mr. Lowin noted that under each license agreement, BBP could not charge rent unless BBP provided certain items, including the required power. Accordingly, staff allowed them to operate minimally, rent free, as an amenity for our park visitors.

Mr. Simmons stated that he was satisfied.

Director Nelson then asked whether the River Café and Ice Cream Factory operated concessions directly with City Parks?

Mr. Lowin and Ms. Myer stated the River Café concession was with DCAS and the Ice Cream Factory concession was with EDC.

Mr. Nelson then asked when those leases expire would there be any attempts to issue new RFPs to have them incorporated into Brooklyn Bridge Park's revenue?

Ms. Myer said they could look into that and Director Benepe noted that would be in the year 2025.

Mr. Steel then noted that we haven't foreclosed the prospect of that potential opportunity.

Director Pinsky then noted that he wanted to confirm that all of the services that we think will be necessary for all of these various concessionaires will be in place by next summer or are in place now?

Mr. Lowin stated that it was his understanding that as of that day Con Edison was in both these places turning on the power, which is the last remaining thing, so by the end of this meeting I believe that will be so.

Director Contini asked whether the two vendors that did contribute, were they satisfied with what happened this year with their results of income.

Mr. Lowin said they were both been extremely happy to be in the park and did very well during events.

Ms. Myer noted that she wanted to thank David and especially Peter Aschkenasy for all the incredible work they put into getting the concessions up and running in a compressed amount of time.

Mr. Simmons asked how people on one end of the park know that there are concessions at the other end.

Mr. Lowin stated that three of the concessions are right at the entrance to Pier 1, so you can see them as you walk into the park. The one that is further is the Blue Marble, which is around the corner, and staff have been working with them to provide signage at the entrance to the park to let visitors know that they are around the corner.

Director Francois asked did they plan to have more than four vendors eventually.

Mr. Lowin said they would monitor the next year or so at Pier 1 specifically and see if there's demand and if there is, we would do an additional RFP and that there are other concessions planned throughout the park. Specifically, probably in the next month he noted that the Corporation planned to release an RFP for a concession for a restaurant at Pier 6.

Ms. Francois asked how the restaurant RFP would be sent out in terms of vendors getting that information.

Mr. Lowin stated that the RFP would be published on our website and also be listed in the City Record, and we have really done a very, very extensive outreach program over the last several months and staff has established a database with almost a hundred concessionaires on that list right now, and as so soon as an RFP comes out it will be sent to everyone on that list.

Mr. Raskin then commented that we were obviously interested in maximizing revenue from the concessions.

Mr. Steel then asked for any additional comments or questions. There being none, he then asked for a motion to vote on the Affirmation of four licenses and permits of Brooklyn Bridge Park and one-year extension for two of the Permits. On the motion being duly made and seconded, the following resolutions were unanimously adopted:

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September 22, 2010

BROOKLYN BRIDGE PARK CORPORATION - AUTHORIZATION TO AFFIRM AND AUTHORIZE THE CORPORATION TO ENTER INTO PERMIT AND LICENSE AGREEMENTS WITH CONCESSIONAIRES AT PIER 1 IN BROOKLYN BRIDGE PARK; AUTHORIZATION TO APPROVE ONE-YEAR TERM EXTENSIONS FOR DITCH PLAIN DROP-IN AND BROOKLYN BRIDGE WINE BAR PERMITS AND AUTHORIZATION TO TAKE RELATED ACTIONS

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BE IT RESOLVED, that on the basis of the materials presented at this meeting, a copy of which is hereby ordered filed with the records of the Corporation, the Corporation is hereby authorized to affirm and enter into permits and licenses with the following four food concessionaires at Pier 1 in Brooklyn Bridge Park: Ditch Plains Drop-In, Brooklyn Bridge Wine Bar, Calexico Carne Asada, and Blue Marble; and be it further

RESOLVED, that the respective terms of the Ditch Plain Drop-In and Brooklyn Bridge Wine Bar Permits are each extended for one year so that the term of the Ditch Plain Drop-In Permit shall be four years, plus 2 option years and the Brooklyn Bridge Wine Bar term shall be six years; and be if further

RESOLVED, that the President of the Corporation and her designees be and each hereby is authorized and empowered to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing resolutions.

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Mr. Steel noted that the voting portion of the meeting was now over and he asked Ms. Myer to present her President's report.

Ms. Myer presented her report. She said she would update the Directors on park opening and construction. She noted the Greenway opening in late August and the interim bikeway that connects Pier 2 to Montague Street has been a wonderful success, making good on our commitment to provide north-south access along the entire waterfront. She said watching people walk and bike and jog the Greenway outside our trailer office has been very exciting. She mentioned that this was a collaborative effort with the NYC Department of Transportation (DOT), who provided us with the materials, and was pleased to report how well BBP staff and DOT staff worked together on this project.

In terms of ongoing construction, she said Pier 5 is fully funded, work was underway, and that she would give periodic reports on the construction.

She stated that work was underway at Empire Fulton Ferry Park, and hoped that work would be finished by the summer and that she would also provide progress reports on this construction.

In terms of general operations under the direction of Director Benepe and the Park Budget and Operation Committee, she said staff had been carefully monitoring our operations since we opened the park, and this has been a great success in terms of our visitors.

She said visitors had responded tremendously to coming to Pier 1, Pier 6 and the Greenway, and that cleanup, horticulture and security services were all working very well. She also thanked Jeff Sandgrund, Director of Operations, for his great work.

She note that the Brooklyn Bridge Park Conservancy donated the services of Playground Associates at Pier 6, which has really added to children's experience at the playground, and that she wanted to thank the Conservancy for that very generous donation.

In terms of events, she said the summer had been a great success; a combination of old and new. The film series was a resounding success. We had five to six thousand people per movie. There are also a number of new programs that we've established. Our partnership with the Dodge Y brought active recreation to the Park. Our partnership with the boating community brought kayaking, as well as Pilates to the site. We also started our Bridge Culture Program on Saturday evenings in July.

Ms. Myer also mentioned the Tobacco Warehouse RFP. She noted that at the July 21, 2010 Directors meeting she had discussed the RFP for the Tobacco Warehouse site to seek new users who are either community, educational or arts-related uses for that site. Since that time in July and early August she said staff conducted extensive outreach to the community and local elected officials to hear their issues relative to the RFP. She said the Brooklyn Borough President co-hosted two community sessions, which were very well attended. She said the RFP was released on August 24 incorporating a lot of the input that was heard at those meetings. The RFP was available on the Corporation Web site. The Department of Cultural Affairs has sent the RFP to a very, very large list of cultural organizations interested -- in New York City, and we also have put the RFP on both the New York State ESDC Web site and the New York City EDC Web site.

Ms. Myer further stated that on September 14 we held a very well-attended informational session at the Tobacco Warehouse with very good attendance by a range of users, both who were looking to respond, we believe, as the lead tenant, or the user tenant, the secondary tenants that we're looking for to ensure that there are multiple tenants at the

site. Proposals are due October 18, and Ms. Myer said she would keep the Directors informed as to the respondents and the selection process in the near future.

Ms. Myer said she would close her Presidents report by reviewing some future events. She said there were event fliers provided to the Directors. She mentioned the Broadway production of "Fela!" was coming to the Park on Monday evening, October 4. She also mentioned an e-waste recycling event with the Lower East Side Ecology Center and a Fall Festival sponsored by the Brooklyn Bridge Park Conservancy.

Mr. Steel thanked Ms. Myer for her report and asked if any Directors had questions for Ms. Myer or any of her team.

Mr. Nelson asked when would Pier 5 be completed and when would the RFP for the bubble be issued?

Ms. Myer said the completion for Pier 5 would be spring 2012. As for the cold weather recreation bubble, she said it would first need to be determined whether the pier was structurally sound enough to hold the bubble. She since Pier 5 construction was scheduled for spring 2011, and if a bubble was determined to be feasible, the RFP could go out next year.

Mr. Steel asked what would be the plan if the pier was not structurally strong enough to support the bubble.

Ms. Myer said the costs would need to be first evaluated and options evaluated based on such costs. She said the desire is to have some wintertime sports in the park. The plan as it stands is to have three regulation size soccer fields, and the desire would be to have some indoor soccer fields.

Mr. Nelson next said in regards to Tobacco Warehouse, he would like to distribute a letter that Assembly Member Millman sent to the Corporation calling for the RFP to be withdrawn at this time, because it's inappropriate for a number of reasons, and the public outreach meetings that were held he believed it was made very clear by the community that it really was not appropriate for a number of reasons, for the RFP to have been issued. He asked that the letter be entered into the minutes.

September 8, 2010

Regina Myer  
President  
Brooklyn Bridge Park Corporation  
Pier 2, Furman Street  
Brooklyn, NY 11201

Dear Ms. Myer:

I am writing to express my concerns about the Request for Proposals (RFP) for the renovation and future use of the Tobacco Warehouse site in Brooklyn Bridge Park. I am requesting that the RFP be withdrawn at this time to permit a more open, comprehensive and competitive bidding process.

First, I want to recognize the changes made to the RFP in response to my feedback and the feedback of the community. I am appreciative of those changes to the RFP—including explicit requests for feedback from lead tenants and subtenants, an extended response period, more open language about the types of arts, cultural or educational organizations invited to submit responses, and evaluation criteria that include revenue for general park maintenance—which are all directly responsive to input from the community.

The Tobacco Warehouse, as I know you agree, is a vital component of Brooklyn Bridge Park, and its future use is a source of great interest to the community. Nonetheless, as you are aware, concerns remain about the timing and direction of the RFP process. Despite the improvements outlined above, I share these same concerns. Given the importance of the site, the gravity of the community's concerns and the goal of generating as many options as possible, I urge the BBPC not to continue with the RFP process at this time. I believe that more outreach to potential bidders (and a longer time period for them to develop legitimate bids), a more comprehensive dialogue with the community about priorities and future uses for the site, and the possibility of coordinating the Tobacco Warehouse RFP with the adjacent Empire Stores building, all require more time. In addition, the subject of whether the possibility of activities at the Tobacco Warehouse can generate revenue to help fund park operations should not be arbitrarily dismissed.

Thank you for your attention to this matter, and for your continued engagement with the community around such an important community resource. I look forward to working with you to ensure an open and competitive process that attracts serious, competitive bids and reflects a diversity of options.

Sincerely,  
Joan L. Millman  
Member of Assembly

Mr. Steel asked if Mr. Nelson had other items to raise while the letter was being circulated. He said no.

Mr. Benepe noted that he had spent some time in the park observing and participating and he wanted to thank Regina and her staff for doing an outstanding job. He also thanked the Brooklyn Bridge Park Conservancy, particularly Nancy Webster and David Kramer, who have done such an outstanding job including the movies, the environmental education programs, the Playground Associates, the kayaks, and so much more, have been such a wonderful partner. Finally, he noted the playground at Pier 6 had been getting a great deal of media attention. He saw something on Channel 11 News that said this was the greatest of all the great playgrounds built in the City.



Mr. Raskin stated before we conclude the meeting he wanted to make sure we return for a second to the Tobacco Warehouse and the unresolved issue of the RFP. He said he appreciated Assembly Member Millman's letter and wanted to echo some of the same concerns raised in it. He said the letter describes pretty well the issues with the timing of the RFP, about community access and preservation on the site, and opportunities for revenue. He wanted to make sure other fellow members of the Board are also aware this is an ongoing community issue. He said while extensive outreach was done, and he did appreciate that such outreach had happened, that it is an unresolved issue in the community, and he requested a response from the Corporation to Assembly Member Millman's letter before the conclusion of the current RFP period.

Mr. Steel asked if there were further Director comments. There being none, he then opened the meeting to public comment.

Ms. Sandy Balboza, of the Atlantic Avenue Betterment Association, stated a concern with tour buses that go around 1 Brooklyn Bridge Park. She said it would be crazy if the tour buses start using that road. She suggested signage such as "No Through Traffic" and "No Tour Buses" be installed.

Ms. Myer said she's never observed the tour buses but that the street system at Atlantic Avenue and Joralemon Street is a public street system for the very good reason of activating the site and ensuring that the public has full access into the site. She said she would look into the issue of whether or not tour buses are, number one, causing a safety concern, which would be her first concern, and secondly, if they are impeding access to park and that she would get back to Ms. Balboza on that point.

Mr. Nelson added that there was a meeting coming up with City DOT on this intersection and that this issue would also be addressed.

Tom Chittendon, longtime governor of the Brooklyn Heights Association and recently a member of the Brooklyn Bridge Parks Committee, a resident of Brooklyn Heights of almost 45 years said the BHA supports the position that the RFP be withdrawn. He said despite Regina's wonderful effort to reach out to the community, those two meetings at Borough Hall, the issues are deep, and in his view, have not all been resolved, and we would hope that this process would not be rushed, there would be more opportunity for community input. He urged the Board to seriously consider tabling this RFP and designing a broader and deeper process for community input and thought.

Ursula Hahn stated she had spent much time in Brooklyn Bridge Park and even after the film series has ended, usually about three times a week, more than an hour each, and had not seen any PEP officers at any time during her presence in the park, and wanted to know whether that service has been reduced since the beginning of the summer.

Mr. Benepe stated whenever he has been there he has seen ample PEP officers. Ms. Myer noted that PEP officers, especially with the Greenway opening, now have roving responsibilities. She also said they encourage the PEP officers to keep moving. Ms. Myer said they would review the PEP duties and get back to Ms. Hahn on the issue.

Joan Zimmerman, Fulton Ferry Landing Association, seconded what Tom said with regard to the Tobacco Warehouse RFP. She asked how many of the Board members had visited the park. She suggested that, since it is in their Historic District, that the Directors come by and see the Tobacco Warehouse so that they can understand why the communities have fought for 30 years to preserve this. She said three different times, the City and State had tried to demolish it or give it away to be demolished. She said three different times they had fought successfully to preserve it, so they truly have a strong emotional attachment to the structure. She also asked that as the directors consider the RFP and the reasons that our local electives are listening to us and ask that the RFP be rescinded, you go to look to see why it is a special place to us, and why we have an issue with rushing through this RFP process. Thank you.

Sandy Balboza also requested, on behalf of her organization, that the RFP be withdrawn, at least until the CAH process has taken place, because we might get some ideas from that and for uses and for the preservation of the structure.

Judi Francis, with the Park Defense Fund, questioned Mr. Benepe about his quote that the Parks Department "must enforce the law that prohibits people from living on public land," and how allowing million-dollar condos in Brooklyn Bridge Park is any different than the middle- or lower- income people who are now being evicted from living inside their park?

Mr. Benepe stated the situations were completely different. He said the property in Staten Island was owned by the City, both the property and the buildings, and has been for the last five decades. The people who have been renting the place knew they had to leave at a certain point in time, and that time has come. The development of Brooklyn Bridge Park through agreements between the State and City always envisioned having development sites; in fact, in reducing development sites from 20 percent to 10 percent; everybody agreed that having those residential buildings would reduce the amount of space which would have to be dedicated to revenue production, and it is not park land.

Ms. Francis suggested that people living inside the park was not part of the 13 original points signed by every elected official in 1992.

Mr. Benepe stated that people at the edge of the park had been fully and legally approved so far.

Ms. Francis said they may have been approved between the City and the State, but not the people for 30 years, 35 years, who worked so hard to get this park without housing, because, she said, that was the first proposal for the land.

Mr. Steel asked for any final comments. There being none he asked for a motion to adjourn. The motion was duly made and seconded and Chairman Steel adjourned the meeting.

Ms. Myer then asked all members of the public to make sure that they had signed in.

Respectfully submitted,

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Jennifer Klein  
Secretary of the Meeting