



Legislation Text

File #: Res 1157-2025, Version: \*

THE COUNCIL OF THE CITY OF NEW YORK

RES. NO. 1157

**Resolution authorizing the Department of Transportation to enter into a coordinated street furniture franchise for the installation, operation and maintenance of Coordinated Street Furniture in the Boroughs of the Bronx, Brooklyn, Manhattan, Queens and Staten Island.**

By Council Member Salamanca (by request of the Mayor)

**WHEREAS**, by Executive Order 25, dated August 23, 1995, the Mayor has designated the Department of Transportation (“DOT”) as the responsible agency for the granting of franchises for bus stop shelters (“BSSs”), self-cleaning automatic public toilets (“APTs”), newsstand structures (“NSs”), additional public service structures (“PSSs”), and any combination thereof; and

**WHEREAS**, pursuant to § 363 of the Charter of the City of New York (the “Charter”), the City Council of the City of New York (the “City Council”) adopted on August 19, 2003, Resolution No. 1004, Land Use No. 226-A (“Resolution No. 1004-2003”), authorizing DOT, acting on behalf of the City of New York (the “City”), to grant a non-exclusive franchise for the occupation and use of the inalienable property of the City for the installation and maintenance of NSs and the installation, operation, and maintenance of BSSs, APTs, and PSSs (as defined in Resolution No. 1004-2003, and which, together with NSs, BSSs and APTs are referred to herein as the “Coordinated Street Furniture”); and

**WHEREAS**, pursuant to Resolution No. 1004-2003, DOT issued a Request for Proposals on March 26, 2004 (“Coordinated Street Furniture RFP”) for a franchise to install, operate, and maintain Coordinated Street Furniture; and

**WHEREAS**, in connection with the Uniform Land Use Review Procedure (“ULURP”) review of the Coordinated Street Furniture RFP (ULURP No. C 960543 (A) GFY), a negative declaration was issued (CEQR No. 96DOT010Y) finding that such actions will not result in any significant adverse environmental impacts, all in accordance with the New York State Environmental Quality Review Act (“SEQRA”), the regulations set forth in Title 6 of the New York Code of Rules and Regulations, Section 617 et seq., the Rules of Procedure for City Environmental Quality Review (“CEQR”) (Chapter 5 of Title 62 and Chapter 6 of Title 43 of the Rules of The City of New York); and

**WHEREAS**, on June 26, 2006, Cemusa, Inc. and the City, acting by and through DOT, entered into the Franchise Agreement for the Coordinated Street Furniture Franchise for the installation, operation, and maintenance of BSSs, APTs, and PSSs and for the installation and maintenance of NSs (the “2006 Coordinated Street Furniture Agreement”); and

**WHEREAS**, thereafter, Cemusa, Inc., which was ultimately renamed JCDecaux Street Furniture, Inc., assigned its interest in the 2006 Coordinated Street Furniture Agreement to a subsidiary, which was ultimately renamed

JCDecaux Street Furniture New York, LLC (the “Coordinated Street Furniture Franchisee”); and

**WHEREAS**, on October 1, 2015, the Coordinated Street Furniture Franchisee and the City, acting by and through DOT, entered into an Amended and Restated Agreement for the Coordinated Street Furniture Franchise (the “2015 Coordinated Street Furniture Agreement”); and

**WHEREAS**, on or about June 26, 2023, DOT agreed to amendments to the 2015 Coordinated Street Furniture Agreement; and

**WHEREAS**, by Executive Order 25, dated August 23, 1995, the Mayor has designated the Department of Information Technology & Telecommunications (“DOITT”) as the responsible agency for the granting of telecommunications franchises; and

**WHEREAS**, pursuant to § 363 of the Charter, the City Council adopted on December 21, 2009 Resolution No. 2309 (“Res. No. 2309-2009”), authorizing DOITT, on behalf of the City, to grant non-exclusive franchise(s) for the occupation and use of the inalienable property of the City for the installation and maintenance of public pay telephones (as defined in Res. No. 2309-2009); and

**WHEREAS**, pursuant to § 363 of the Charter, the City Council adopted on August 25, 2010, Resolution No. 191 (“Res. No. 191-2009”), authorizing DOITT, on behalf of the City to grant non-exclusive franchise(s) for installation of telecommunications equipment and facilities on, over and under the inalienable property of the City in connection with the provision of mobile telecommunications services; and

**WHEREAS**, pursuant to Res. No. 2309-2009 and Res. No. 191-2010, DOITT issued a Request for Proposals on April 30, 2014, for a non-exclusive franchise to install and maintain Public Communications Structures; and

**WHEREAS**, on March 23, 2015, DOITT, acting on behalf of the City, entered into a Franchise Agreement (the “Public Communication Structures Agreement”) with CityBridge, LLC, (the “Public Communication Structures Franchisee”) for the installation and maintenance of Public Communication Structures; and

**WHEREAS**, on October 9, 2015, August 3, 2018, and August 9, 2021, DOITT agreed to amendments to the Public Communication Structures Agreement; and

**WHEREAS**, the term of the 2015 Coordinated Street Furniture Agreement, as amended, will expire on June 26, 2031; and

**WHEREAS**, the term of the Public Communication Structures Agreement, as amended, will expire on March 22, 2030; and

**WHEREAS**, pursuant to § 363 of the Charter, the Mayor has requested that the City Council amend the authorizing resolution authorizing DOITT to amend and extend the Public Communication Structures Agreement for a maximum of 5 years, up to March 22, 2035; and

**WHEREAS**, DOT requests the ability to enter into a non-exclusive agreement with the Coordinated Street Furniture Franchisee on substantially the same terms as the 2015 Coordinated Street Furniture Agreement, as amended, with a term of up to 3 years, 8 months, and 24 days (the “2031 Coordinated Street Furniture Agreement”); and

**WHEREAS**, a 2031 Coordinated Street Furniture Agreement with a term of 3 years, 8 months, and 24 days would expire on March 22, 2035, the same day as the proposed expiration of the Public Communication

Structures Agreement; and

**WHEREAS**, the coterminous expiration of the 2031 Coordinated Street Furniture Agreement and the Public Communication Structures Agreement would allow the City to explore a combined franchise, potentially allowing for greater capital investment and sustained revenue for the City; and

**WHEREAS**, the City Council has determined that the authorization of the 2031 Coordinated Street Furniture Agreement will be in the public interest by enhancing the health, welfare, convenience, and safety of the public;

**NOW THEREFORE, BE IT RESOLVED,**

That the City Council hereby authorizes DOT to enter into a 2031 Coordinated Street Furniture Agreement with a term of up to 3 years, 8 months, and 24 days with the Coordinated Street Furniture Franchisee, or its successors and assigns, as determined in the discretion of DOT, and to incorporate additional rights and responsibilities agreed upon by the parties, on condition that the 2031 Coordinated Street Furniture Agreement is consistent with all terms and conditions set forth in Res. No. 1004-2003. Any agreement reached pursuant to this resolution shall be subject to such other approvals as may be required by law, such as the approval of the Franchise and Concession Review Committee and the separate and additional approval of the Mayor, and the registration of the 2031 Coordinated Street Furniture Agreement with the Comptroller.