

# **MEMORANDUM OF UNDERSTANDING**

**between**

**THE NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION**

**and**

**THE CITY OF NEW YORK MAYOR'S OFFICE OF MEDIA AND ENTERTAINMENT**

---

This **MEMORANDUM OF UNDERSTANDING** ("MOU"), dated May 1, 2021, is made by and between **THE CITY OF NEW YORK MAYOR'S OFFICE OF MEDIA & ENTERTAINMENT** ("MOME"), with offices located at 1 Centre Street, 27<sup>th</sup> Floor, New York, NY 10007 and **THE NEW YORK CITY DEPARTMENT OF PARKS & RECREATION** ("PARKS") with offices located at The Arsenal, Central Park, 830 Fifth Avenue, New York, NY 10065 (each a "Party" and collectively, the "Parties").

## **ARTICLE 1. BACKGROUND**

- A. MOME works to support New York City's thriving creative economy and make it accessible to all.
- B. PARKS is New York City's principal provider of recreational and athletic facilities and programs with a commitment to create thriving public spaces for all New Yorkers by increasing the accessibility and quality of those parks that serve all of New York City's diverse constituencies in neighborhoods throughout the five boroughs.
- C. MOME wishes to support community programs that provide access to film throughout the five boroughs and that highlight the role of the industry in supporting communities.
- D. Pursuant to a Memorandum of Agreement dated July 24, 2015, between PARKS and MOME, and subsequent extensions, the Parties established and maintained a partnership that combined necessary resources to expand PARKS' "Movies Under the Stars" Series serving communities throughout the five boroughs.
- E. The Movies Under the Stars Series was suspended in 2020 due to the COVID-19 pandemic.
- F. The parties are reasonably certain that it will be possible to present the Movies Under the Stars Series in 2021 based on the current trajectory of COVID-19 cases in New York City and the availability of the vaccine.
- G. The purpose of this MOU is to continue the partnership between PARKS and MOME to expand PARKS' "Movies Under the Stars" Series for communities throughout the five boroughs.

## **ARTICLE 2. TERM**

- A. Term.** This MOU shall take effect on May 1, 2021, and will expire on June 30, 2022 ("Term") unless sooner terminated or extended under this Article 2 or Article 6 of this MOU.
- B. Renewals.** The Parties have the option to renew this MOU for up to five one-year periods after the initial Term.

## **ARTICLE 3. SERVICES**

- A. Generally.** The Parties shall work together on the "Movies Under the Stars" screening series (the "Series") throughout the Term. PARKS will administer the Series in coordination with MOME.
- B. Amendments.** The Parties may mutually agree to amend this MOU to cooperate on additional programs providing music, theater, or other entertainment in communities throughout the five boroughs.
- C. MOME Responsibilities.**
  - 1. MOME shall provide PARKS with the funding described in Appendix A to pay for the costs of film licenses and additional staff to assist with the Series.
  - 2. MOME shall procure logo-ed uniform jackets, banners, equipment, and hand sanitizer for the Series with an approximate value of \$58,000.00.
  - 3. MOME may provide PARKS with Public Service Announcements ("PSAs") and promotional materials to distribute at each screening.
- D. PARKS Responsibilities.**
  - 1. PARKS shall provide the number of screenings set forth in the budget in parks in neighborhoods identified.
  - 2. PARKS shall purchase equipment necessary for the screenings.
  - 3. PARKS shall secure licenses to screen films as identified in consultation with MOME staff.
  - 4. If provided by MOME, PARKS shall screen PSA(s) and distribute MOME promotional materials before each screening in the Series.

5. PARKS shall include MOME's name and logo on all promotional and advertising materials developed for the Series, including the PARKS website, subject to MOME's review and approval.
  6. PARKS shall provide program staff as detailed in the Budget attached as Appendix A.
  7. PARKS shall maintain a record of expenses that are reimbursable by MOME under this MOU and shall provide MOME with copies of the records as soon as they become available.
  8. PARKS shall be responsible for the administration and costs, if any, related to parking, insurance, and operations and maintenance for the mobile screening units.
  9. PARKS shall be responsible for compliance with COVID-19 health and safety requirements.
  10. PARKS shall provide MOME with detailed reports on all screenings to include mention of new parks, locations, and cancellations.
- E. Promotion.** PARKS and MOME will work strategically to develop a joint communications and promotional campaign for the Series and shall coordinate all such efforts. Any publicity, promotion, or advertising with respect to the Series ("Promotional Materials") shall refer to MOME as the lead partner and include the "Made in New York" logo, as well as include a quotation from MOME's Commissioner about the Series. All Promotional Materials shall be submitted to MOME for review and approval not less than five days prior to release.
- F. Timeline.** PARKS and MOME shall coordinate activities in accordance with the timeline described in Appendix B. Changes to the timeline are subject to mutual agreement of the Parties.

#### **ARTICLE 4. FUNDING**

- A. Funding Amount.** MOME shall provide PARKS the funding that is set forth in Appendix A.
- B. Payment of Funds.** Funding for the Series will be transferred to PARKS by MOME from the new incentive funds that are currently in MOME's budget. PARKS will submit quarterly invoices to MOME specifying the amount of funds to be transferred, with the first invoice to be submitted upon the execution of this MOU.

## **ARTICLE 5. TERMINATION**

**Termination:** Either PARKS or MOME may terminate this MOU with or without cause upon 30 days' written notice to the other Party. Upon termination of this MOU, any project or course in progress will be completed and funded according to the terms of this MOU.

## **ARTICLE 6. PROJECT COORDINATION**

- A. PARKS and MOME agree to work cooperatively to resolve any disputes arising from their respective responsibilities under this MOU and the completion of the Series.
- B. Should conditions arise that prevent the undertaking or completion of services described in this MOU, before acting to terminate the Series, PARKS shall immediately notify and consult with MOME for alternative solutions.

## **ARTICLE 6. MISCELLANEOUS**

- A. **Notices.** All notices required by this MOU shall be delivered by email to the other Party at the following addresses:

### **To PARKS:**

Mitchell J. Silver FAICP, Commissioner  
NYC Department of Parks & Recreation  
The Arsenal  
Central Park  
830 Fifth Avenue  
New York, NY 10065  
**Email:** [mitchell.silver@parks.nyc.gov](mailto:mitchell.silver@parks.nyc.gov)

### **With a copy to:**

Alessandro G. Olivieri, General Counsel  
NYC Department of Parks & Recreation  
The Arsenal  
Central Park  
830 Fifth Avenue  
New York, NY 10065  
**Email:** [alessandro.olivieri@parks.nyc.gov](mailto:alessandro.olivieri@parks.nyc.gov)

### **To MOME:**

Anne del Castillo  
Commissioner  
Mayor's Office of Media & Entertainment

1697 Broadway, Suite 602  
New York, New York 10019  
**Email:** [adelcastillo@media.nyc.gov](mailto:adelcastillo@media.nyc.gov)

**With a copy to:**

Lori Barrett-Peterson  
General Counsel  
Mayor's Office of Media & Entertainment  
1 Centre Street, 27<sup>th</sup> Floor  
New York, New York 10007  
**Email:** [lbarrett-peterson@media.nyc.gov](mailto:lbarrett-peterson@media.nyc.gov)

- B.** This MOU shall be binding upon and for the benefit of the Parties and each of their respective successors and permitted assigns. The provisions of the MOU shall be solely for the Parties' benefit and no other person or entity shall be a third-party beneficiary of this MOU.
- C.** The services provided under this MOU shall be performed in accordance with all applicable provisions of federal, state, and local laws.
- D.** Neither Party will assign, transfer, convey, subcontract or delegate any rights, obligations or duties under this MOU without the other Party's prior written consent which will not be unreasonably withheld, delayed, or conditioned. Any assignment, transfer, conveyance, subcontract, delegation or other disposition without this consent shall be void.

**ARTICLE 7. COUNTERPARTS**

This MOU and any amendments may be executed in any number of counterparts, each of which when executed and delivered constitutes a separate original, but all counterparts together shall constitute a single agreement.

**[No further text on this page.]**

IN WITNESS WHEREOF, both Parties have duly executed this MOU on the dates appearing below their respective signatures.

**NEW YORK CITY DEPARTMENT  
OF PARKS AND RECREATION**



Mitchell J. Silver, FAICP, Hon. ASLA  
Commissioner

5/24/21

Date

**MAYOR'S OFFICE OF MEDIA  
AND ENTERTAINMENT**



Anne del Castillo  
Commissioner

May 20, 2021

Date

**Appendix A**  
**BUDGET**

<b>Fiscal Year 2022 Budget for Services Funded through MOU</b>	
<b>100-150 screenings</b>	
Program Staff @ 2 staff / \$60,793.56 per unit up to 5 units	\$303,967.81
Film Licenses	\$168,000.00
<b>TOTAL FY2022 BUDGET</b>	<b>\$471,967.81</b>

**EXHIBIT B**  
**PROJECT TIMELINE FY2022**

April 2021     PARKS and MOME will discuss upcoming schedule and plan for Series launch in July 2021.

June 2021     PARKS and MOME communications to coordinate press coverage and listings

June 2021     MOME to confirm and delivery screening pre-roll DVDs

Parties shall mutually agree on a timeline for 2021 programming before May 15, 2021.

Any changes to the Project Timeline shall be subject to the Parties' mutual agreement.





THE CITY OF NEW YORK  
MAYOR'S OFFICE OF MEDIA & ENTERTAINMENT

September 14, 2022

Susan M. Donoghue, Commissioner  
NYC Department of Parks & Recreation  
The Arsenal, Central Park, 830 Fifth Avenue  
New York, NY 10065  
Email: [susan.donoghue@parks.nyc.gov](mailto:susan.donoghue@parks.nyc.gov)

Re: 1<sup>st</sup> Renewal - NYC Parks and MOME MOU Movies Under the Stars

Dear Commissioner Donoghue:

The Mayor's Office of Media and Entertainment ("MOME") is delighted to continue to work with the Department of Parks & Recreation ("NYC Parks") to provide free entertainment in parks. (MOME and NYC Parks, collectively the "Parties").

Reference is made to that Memorandum of Understanding dated May 1, 2021 (the "2021 MOU") between MOME and NYC Parks concerning "Movies Under the Stars" in public parks throughout New York City.

The 2021 MOU expired on June 30, 2022. The Parties wish to extend the Term until June 30, 2023, by exercising the first renewal of the MOU ("First Renewal"). The Budget for this First Renewal is in Exhibit A-1 and the Timeline is in Exhibit B-1.

To the extent they were not amended by this First Renewal, the remainder of the terms in the MOU continue to apply. Please sign below to indicate your agreement to the above terms.

Sincerely,

Approved as to Form

Anne del Castillo, Commissioner, Mayor's  
Office of Media and Entertainment

Lori Barrett-Peterson  
Acting Corporation Counsel

ACCEPTED AND AGREED TO:

Susan M. Donoghue, Commissioner  
NYC Department of Parks & Recreation

**EXHIBIT A-1: BUDGET**

<b>BUDGET FOR SERIES</b> <b>Fiscal Year 2023 Budget</b> <b>100-150 screenings</b>	
Program Staff @ 2 staff / \$60,793.56 per unit x up to 5 units	\$303,967.81
Film Licenses	\$168,000.00
<b>TOTAL SERIES BUDGET</b>	<b>\$471,967.81</b>

**EXHIBIT B-1**

**SERIES**

**TIMELINE APRIL 2022 – APRIL 2023**

April 2022	PARKS and MOME will discuss upcoming schedule and plan for Series launch in April.
May 2022	<p>PARKS and MOME communications staff to coordinate press coverage and listings for “Movies Under the Stars”.</p> <p>Parties will agree on a timeline for 2022 programming for “Movies Under the Stars” before May 30, 2022.</p> <p>MOME to confirm and deliver screen pre-roll DVDs.</p>
October 2022	PARKS shall provide MOME with final reports on screenings, in accordance with Article 2(C)(8) of the MOA.
February 2023	PARKS and MOME will discuss Series schedule and plan for Series launch.
March 2023	PARKS and MOME communications staff to coordinate press coverage and listings.
April 2023	Screenings begin for 2023 summer Series.



THE CITY OF NEW YORK  
MAYOR'S OFFICE OF MEDIA & ENTERTAINMENT

October 13, 2023

Susan M. Donoghue, Commissioner  
NYC Department of Parks & Recreation  
The Arsenal, Central Park, 830 Fifth Avenue  
New York, NY 10065  
Email: [susan.donoghue@parks.nyc.gov](mailto:susan.donoghue@parks.nyc.gov)

Re: 2<sup>nd</sup> Renewal - NYC Parks and MOME MOU Movies Under the Stars

Dear Commissioner Donoghue:

The Mayor's Office of Media and Entertainment ("**MOME**") is delighted to continue to work with the Department of Parks & Recreation ("**NYC Parks**") to provide free entertainment in public parks. (MOME and NYC Parks, collectively the "**Parties**").

Reference is made to the Memorandum of Understanding dated May 1, 2021 (the "**2021 MOU**") between MOME and NYC Parks concerning "**Movies Under the Stars**" in public parks throughout New York City.

The 2021 MOU expired on June 30, 2022. The Parties then extended the Term until June 30, 2023, by way of the first renewal of the MOU, dated September 14, 2022 ("**First Renewal**"). The Parties wish to extend the Term until October 31, 2023, by exercising the second renewal of the MOU ("**Second Renewal**"). The Budget for this Second Renewal in Exhibit A-1.

To the extent they were not amended by the First Renewal or this Second Renewal, the remainder of the terms in the MOU continue to apply. Please sign below to indicate your agreement to the above terms.


Sincerely,

Approved as to Form

  
Pat Swinney Kaufman, Commissioner  
Mayor's Office of Media and Entertainment

  
Lori Barrett-Peterson  
Acting Corporation Counsel

ACCEPTED AND AGREED TO:

  
Susan M. Donoghue, Commissioner  
NYC Department of Parks & Recreation



THE CITY OF NEW YORK  
MAYOR'S OFFICE OF MEDIA & ENTERTAINMENT

**EXHIBIT A-1: BUDGET**

<b>BUDGET FOR SERIES</b> <b>Fiscal Year 2024 Budget</b> <b>100-150 screenings for fall 2023</b>	
Program Staff @ 2 staff / up to 5 units	\$165,000.00
Film Licenses and Shipping Costs	\$78,752.50
<b>TOTAL SERIES BUDGET</b>	<b>\$243,752.50</b>





THE CITY OF NEW YORK  
MAYOR'S OFFICE OF MEDIA & ENTERTAINMENT

February 12, 2024

Susan M. Donoghue, Commissioner  
NYC Department of Parks & Recreation  
The Arsenal, Central Park, 830 Fifth Avenue  
New York, NY 10065  
Email: [susan.donoghue@parks.nyc.gov](mailto:susan.donoghue@parks.nyc.gov)

**Re: 3<sup>rd</sup> Renewal - NYC Parks and MOME MOU Movies Under the Stars**

Dear Commissioner Donoghue:

The Mayor's Office of Media and Entertainment ("MOME") is delighted to continue to work with the Department of Parks & Recreation ("NYC Parks") to provide free entertainment in public parks. (MOME and NYC Parks, collectively the "Parties").

Reference is made to the Memorandum of Understanding dated May 1, 2021 (the "2021 MOU") between MOME and NYC Parks concerning "Movies Under the Stars" in public parks throughout New York City.

The 2021 MOU expired on June 30, 2022. The Parties extended the Term until June 30, 2023, by way of the first renewal of the MOU, dated September 14, 2022 ("First Renewal") and until October 31, 2023, by way of the second renewal of the MOU, dated October 13, 2023. The Parties wish to extend the Term until June 30, 2025, for movie screenings in Fiscal Year 2025, by exercising the third renewal of the MOU ("third Renewal"). The Budget for this third Renewal in Exhibit A-2.

To the extent they were not amended by the First Renewal, the Second Renewal or this Third Renewal, the remainder of the terms in the MOU continue to apply. Please sign below to indicate your agreement to the above terms.

Sincerely,

[Redacted Signature]

Pat Swinney Kaufman, Commissioner  
Mayor's Office of Media and Entertainment

Approved as to Form

[Redacted Signature]

Lori Barrett-Peterson  
Acting Corporation Counsel

**ACCEPTED AND AGREED TO:**

[Redacted Signature]

Susan M. Donoghue, Commissioner  
NYC Department of Parks & Recreation



THE CITY OF NEW YORK  
MAYOR'S OFFICE OF MEDIA & ENTERTAINMENT

**EXHIBIT A-2: BUDGET**

<b>BUDGET FOR SERIES</b> <b>Fiscal Year 2025 Budget</b>	
Program Staff @ 2 staff / up to 5 units	\$281,060.75
Film Licenses and Shipping Costs	\$139,500.00
<b>TOTAL SERIES BUDGET</b>	<b>\$420,560.75</b>



THE CITY OF NEW YORK  
MAYOR'S OFFICE OF MEDIA & ENTERTAINMENT

March 31, 2025

Susan M. Donoghue, Commissioner  
NYC Department of Parks & Recreation  
The Arsenal, Central Park, 830 Fifth Avenue  
New York, NY 10065  
Email: [susan.donoghue@parks.nyc.gov](mailto:susan.donoghue@parks.nyc.gov)

Re: 4<sup>th</sup> Renewal - NYC Parks and MOME MOU Movies Under the Stars

Dear Commissioner Donoghue:

The Mayor's Office of Media and Entertainment ("**MOME**") is delighted to continue to work with the Department of Parks & Recreation ("**NYC Parks**") to provide free entertainment in public parks. (MOME and NYC Parks, collectively the "**Parties**").

Reference is made to the Memorandum of Understanding dated May 1, 2021 (the "**2021 MOU**") between MOME and NYC Parks concerning "**Movies Under the Stars**" in public parks throughout New York City.

The 2021 MOU expired on June 30, 2022. The Parties then renewed the MOU and extended the Term to: (i) June 30, 2023, in a first renewal, dated September 14, 2022 ("**First Renewal**"), then (ii) until October 31, 2023, in a second renewal, dated October 13, 2023 ("**Second Renewal**"), and then (iii) until June 30, 2025, in a third renewal, dated February 12, 2024 ("**Third Renewal**").

The Parties wish to renew and amend the MOU pursuant to this Fourth Renewal to: (i) extend the end date of the MOU to June 30, 2026, (ii) delete Exhibit A-2 (Fiscal Year 2025 Budget) in the Third Renewal and replace it with Exhibit A-2.1 (Fiscal Year 2025 Budget Revised March 31, 2025) that includes an additional Sixty Thousand Dollars (\$60,000.00) for film equipment, and (iii) add Exhibit A-3 (Fiscal Year 2026 Budget).

To the extent they were not amended by the First Renewal, the Second Renewal, the Third Renewal or this Fourth Renewal, the remainder of the terms in the MOU continue to apply. Please sign below to indicate your agreement to the above terms.

NYC.GOV/MOME







THE CITY OF NEW YORK  
MAYOR'S OFFICE OF MEDIA & ENTERTAINMENT

Sincerely,

Pat Swinney Kaufman, Commissioner  
Mayor's Office of Media and Entertainment

Approved as to Form

Mohar Ray  
Acting Corporation Counsel

**ACCEPTED AND AGREED TO:**

Susan M. Donoghue, Commissioner  
NYC Department of Parks & Recreation



THE CITY OF NEW YORK  
MAYOR'S OFFICE OF MEDIA & ENTERTAINMENT

**EXHIBIT A-2.1: FISCAL YEAR 2025 BUDGET REVISED MARCH 31, 2025**

<b>BUDGET FOR SERIES</b>	
<b>Fiscal Year 2025 Budget</b>	
Program Staff @ 2 staff / up to 5 units	\$281,060.75
Film Licenses and Shipping Costs	\$139,500.00
Film Equipment for Screenings (Replacement and Maintenance)	\$60,000.00
<b>TOTAL SERIES BUDGET</b>	<b>\$480,560.75</b>



THE CITY OF NEW YORK  
MAYOR'S OFFICE OF MEDIA & ENTERTAINMENT

**EXHIBIT A-3: FISCAL YEAR 2026 BUDGET**

<b>BUDGET FOR SERIES Fiscal Year 2026 Budget</b>	
Program Staff @ 2 staff / up to 5 units	\$285,517.75
Film Licenses and Shipping Costs	\$110,000.00
One Non-Passenger Van Replacement	\$60,000.00
<b>TOTAL SERIES BUDGET</b>	<b>\$455,571.00</b>