

Department of Parks, Recreation
& Conservation

11673

August 31, 2010

TO: Board of Acquisition and Contract

FROM: Kathleen O'Connor
Acting Commissioner, Department of Parks, Recreation and Conservation

RE: Authority to extend the license agreement with TJM Golf Corporation, d/b/a Sprain Lake Golf Shop, 290 East Grassy Sprain Road, Yonkers, New York 10710 for the period of January 1, 2011 through December 31, 2014.

By Resolution dated December 22, 2005 and amended by Resolution dated February 22, 2007, the Board of Acquisition and Contract granted authority to enter into a license agreement with TJM Golf Corporation, d/b/a Sprain Lake Golf Shop, ("Sprain Lake Golf Shop"), 290 East Grassy Sprain Road, Yonkers, New York 10710, for the period of January 1, 2006 through December 31, 2010, with the sole option of the County to extend the agreement for an additional period of five years for a license fee to be negotiated. Authority is now requested to extend the Agreement from January 1, 2011 through December 31, 2014.

Thomas Avezzano of TJM Golf Corporation has been the golf professional at Sprain Lake Golf Course for more than 35 years. During this time, Mr. Avezzano has developed an extensive following for lessons. He is also known for his merchandising expertise and his golf professional shop offers the most merchandise at the best prices of any of the golf professional shops of the County's golf courses.

Sprain Lake Golf Shop will collect all golf cart revenue and deposit it into a County account. The County will remit to the Sprain Lake Golf Shop from the proceeds, \$14.00 for every 18-hole motorized golf cart rental up to 10,000 18-hole golf cart rentals and \$9.00 for every 18-hole golf cart rental in excess of 10,000 18-hole golf cart rentals. The County shall remit to Sprain Lake Golf Shop \$9.00 for every 9-hole golf cart rental. The remaining portion of the golf cart revenue shall be kept by the County as a license fee. Over the term of the new agreement, the County will receive an estimated additional \$20,000 over the 2010 rate.

The golf professional manages the golf cart operation, provides lessons and rents hand-pulled carts. For the privilege of operating the golf professional shop, Sprain Lake Golf Shop will pay to the County a license fee of \$10,000.

The goal of this agreement is to provide revenue for the County and important services for golfers. The objective of this agreement will be tracked and monitored by observations and interactions with staff and site visits.

This agreement is exempt from the Westchester County procurement policy pursuant to Section 3(b), thereof.

Accordingly, approval of the attached resolution by your Honorable Board is most respectfully requested.

APPROVED BOARD OF ACQUISITION & CONTRACT - 9-16-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Acting Commissioner of Parks, Recreation and Conservation, be it hereby

RESOLVED, that the County of Westchester is hereby authorized to exercise the option to extend the license agreement with TJM Golf Corporation, d/b/a Sprain Lake Golf Shop, (“Sprain Lake Golf Shop”), 290 East Grassy Sprain Road, Yonkers, New York 10710 for the operation of the golf professional concession at Sprain Lake Golf Course, Yonkers, New York for the period of January 1, 2011 through December 31, 2011; and be it further

RESOLVED, that for the privilege of operating the golf professional concession, Sprain Lake Golf Shop will receive the following, the balance of motorized golf cart revenue being retained by the County as a license fee: \$14.00 for every 18-hole motorized golf cart rental up to 10,000 golf cart rentals and \$9.00 for every 18-hole golf cart rental in excess of 10,000 18-hole golf cart rentals and \$9.00 for every 9-hole golf cart round; and be it further

RESOLVED, that a golf cart rental shall be defined as the fee paid for each golf cart that is used, not each golfer; and be it further

RESOLVED, that for the privilege of operating the golf professional shop, Sprain Lake Golf Shop shall pay to the County an additional license fee of \$10,000; and be it further

RESOLVED, that the golf professional shall keep all revenue derived from retail sales in the pro shop, golf lessons and the rental of hand-pulled carts; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized to execute all instruments necessary to implement this Resolution.

APPROVED BOARD OF ACQUISITIONS CONTRACT 9-16-2010 - JOMAR VIEIRA, SECRETARY

Original Agreement \$ 952,500
 First Amendment \$ 120,000
This Amendment \$ 294,000
 TOTAL \$1,366,500

Agreement #

Account to be
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
165	42	3250	9240		\$ 284,000*
165	42	3250	9246		\$10,000

Budget Funding Year(s) 2011 Start Date 1-1-11 End Date 12-31-11
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
\$294,000* Federal Aid _____
 (must match resolution)
 Other PRC Revenue

*Estimated

APPROVED BOARD OF ACQUISITION & CONTRACT - 9-16-2010 - JOMARY VEIRA, SECRETARY