

Department of Parks, Recreation
& Conservation

12828

July 13, 2010

TO: Board of Acquisition and Contract

FROM: Joseph A. Stout, Commissioner
Parks, Recreation & Conservation

RE: **AUTHORIZATION TO ENTER INTO A PERMIT AGREEMENT WITH THE CORRECTION OFFICERS' BENEVOLENT ASSOCIATION OF NYC ("COBA") 75 BROAD STREET, SUITE 810, NEW YORK, NY 10004 FOR THE EXCLUSIVE USE OF PLAYLAND PARK FOR ITS MEMBERS AND INVITED GUESTS ON SATURDAY, SEPTEMBER 18, 2010 FROM 11:00 AM TO 7:00 PM FOR A SUM OF \$128,000 BASED ON 8,000 GUESTS WITH A RAIN DATE ON SUNDAY SEPTEMBER 19, 2010**

Authorization is requested to enter into a permit agreement with the Correction Officers' Benevolent Association of NYC ("COBA"), 75 Broad Street, Suite 810, New York, NY 10004 for the exclusive use of Playland Park for its members and invited guests from 11:00 am to 7:00 pm on Saturday, September 18, 2010 with a rain date on Sunday September 19, 2010.

COBA will pay a fixed fee of \$128,000 for up to 8,000 guests and \$16 for each guest over 8,000. The fee covers costs for mini golf and all adult and kiddyland rides.

The \$128,000 minimum fee received by the County will be ride revenue. Ride concessions will be reimbursed a portion of the \$128,000 in ride revenue based upon actual ridership on the event date. The \$16 for each guest over 8,000 will also be ride revenue. Ride concessions will be reimbursed a portion of the \$16 based on actual ridership on the event date.

The County will be collecting a \$5.00 per vehicle parking fee on the day of the event. The total amount collected will be split between the County (50%) and COBA (50%).

Since the above permit fee does not include payment for food, members of COBA will be purchasing food from Playland's food concession on the day of the event. Playland will therefore, in addition to the fixed fee, receive 24.1% of the revenue generated from a separate food and beverage agreement between COBA and CulinArt, Inc., the County's food concessionaire for Playland Park.

The goal of this agreement is to increase County revenue while utilizing the amusement park on a day when it is traditionally closed. Private events like this generate additional revenue for the department and help to decrease the tax levy. This agreement therefore serves the public interest as it helps to ease the tax burden of Westchester County residents. The goal and objective of this agreement will be monitored using attendance and revenue reports.

This agreement is exempt from the Westchester County procurement policy pursuant to Section 3(b) of that policy in that it is a license.

A resolution is attached for your favorable consideration.

APPROVED BOARD OF ACQUISITION & CONTRACT - 7-29-2010 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of the Department of Parks, Recreation & Conservation, be it hereby

RESOLVED, that the County of Westchester is authorized to enter into a permit agreement with the Correction Officers' Benevolent Association of NYC ("COBA"), 75 Broad Street, Suite 810, New York, NY 10004 for the exclusive use of Playland Park for its employees and invited guests from 11:00 am to 7:00 pm on Saturday, September 18, 2010 with a rain date on Sunday September 19, 2010; and be it further

RESOLVED, for this privilege COBA shall pay \$128,000 as an all-inclusive permit fee for up to 8,000 guests. COBA also agrees to pay \$16 per guest for each guest over 8,000. For this privilege, Playland will provide mini golf and all adult and kiddyland rides; and be it further

RESOLVED, that the County shall reimburse ride concessions a portion of the \$128,000 in ride revenue based on actual ridership on the event date and shall reimburse ride concessions a portion of the \$16 for each guest over 8,000 based on actual ridership on the event date; and be it further

RESOLVED, that the County will be collecting a \$5.00 per vehicle parking fee on the day of the event. The total amount collected will be split between the County (50%) and the COBA (50%); and be it further

RESOLVED, that the County Executive or his authorized designee is hereby empowered to execute any and all appropriate instruments necessary to effectuate the purposes hereof.

APPROVED BOARD OF ACQUISITION & CONTRACT - 7-29-2010 - JUDY MEIRA, SECRETARY

Original Agreement \$128,000
 First Amendment \$
This Amendment \$ _____
 TOTAL \$128,000

Agreement #

Account to be
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
165	42	5520	9201		\$128,000

Budget Funding Year(s) 2010 Start Date 9/18/10 End Date 9/19/10
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
\$128,000 Federal Aid _____

(must match resolution)
 Other Revenue _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 7-29-2010 - JOMARY VEIRA, SECRETARY