



#20194

Date: July 1, 2011

To: Honorable Board of Acquisition and Contract

From: Hon. Kenneth W. Jenkins, Chairman
Westchester County Board of LegislatorsRe: **Authority to enter into an agreement with the Westchester Arts Council, Inc. ("WAC"), pursuant to which WAC will develop and implement three county-wide marketing initiatives: Music in the Air, Encuentros Culturales/Cultural Encounters and marketing the www.artswestchester.org website to the general public, for the period of April 1, 2011 to December 31, 2011, in an amount not to exceed \$50,000**

The attached Resolution, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to enter into an agreement with the Westchester Arts Council, Inc. ("WAC"), pursuant to which WAC will develop and implement three county-wide marketing initiatives: Music in the Air, *Encuentros Culturales*/Cultural Encounters and marketing the www.artswestchester.org website to the general public, for the period of April 1, 2011 to December 31, 2011, in an amount not to exceed \$50,000, payable one-half upon contract execution and approval of the same by the office of the Westchester County Attorney and one-half upon submission and acceptance of a final written report by WAC to the Chairman of the Board of Legislators, with a copy to the County Executive's office, on February 28, 2012.

WAC will develop and implement three county-wide marketing initiatives for the following programs:

1. *Music in the Air*. WAC will develop and implement a collaborative marketing campaign to promote "Music in the Air" a four-month long cultural initiative of free and affordable outdoor music events. The campaign promotes outdoor concerts presented in public locations throughout the county between June and Labor Day 2011. WAC anticipates identifying and promoting at least 200 events. A significant portion (over 85%) of these concerts will be free.
2. Cultural Encounters/ *Encuentros Culturales*. WAC will develop and implement a collaborative marketing campaign designed to celebrate traditional and contemporary arts of Central America, Mexico and South America and to build participation in these events, which run from September through December 2011. WAC anticipates identifying and promoting at least 20 Cultural Encounters/ *Encuentros Culturales* events.
3. Marketing www.artswestchester.org to the general public. WAC will develop and implement an advertising campaign in community newspapers that promotes www.artswestchester.org's comprehensive and searchable

online calendar of county-wide cultural events. These include *The Mount Vernon Inquirer*, *The Examiner* (delivered to various communities), the Shoreline community papers (delivered to various communities), *The Scarsdale Inquirer*, *The Bedford Record Review* and *Rivertowns Enterprise*, among many others.

The objective of the Agreement is in the County's best interest because it will increase County residents', particularly families with children, access to the arts. Both *The New York Times* and *The Journal News* have reduced their arts coverage significantly. As a result, it is increasingly difficult for County residents to learn about the array of cultural opportunities available. Because many of the outdoor concerts are free or affordable, they present an ideal opportunity for low and low-moderate income individuals and families to participate in the arts. In addition, the Agreement will help build greater appreciation of how the County's increasing Latino population enriches local cultural life, and the Agreement will increase access to the arts for the County's Latino population. The success of the Program will be WAC promoting at least 200 free or low cost outdoor Music in the Air events and at least 25 events and programs as part of *Encuentros Culturales/Cultural Encounters*. The Agreement's progress shall be tracked by direct reporting of the results to the County by WAC.

This procurement is exempt from the requirements of the County Procurement Policy and Procedures pursuant to Section 3 (a)(xiii) thereof.

Accordingly, I recommend and urge your Honorable Board's approval of the annexed Resolution.

KWJ/jpi

RESOLUTION

Upon a communication from the Hon. Kenneth W. Jenkins, Chairman of the Westchester County Board of Legislators, be it hereby

RESOLVED, that the County of Westchester (the "County") is hereby authorized to enter into an agreement (the "Agreement") with the Westchester Arts Council, Inc. ("WAC"), pursuant to which WAC will develop and implement three county-wide marketing initiatives: Music in the Air, *Encuentros Culturales*/Cultural Encounters and marketing the www.artswestchester.org website to the general public, for the period of April 1, 2011 to December 31, 2011, in an amount not to exceed \$50,000, payable one-half upon contract execution and approval of the same by the office of the Westchester County Attorney and one-half upon submission and acceptance of a final written report by WAC to the Chairman of the Board of Legislators on February 28, 2012, and be it further

RESOLVED, that the Agreement is subject to County appropriations; and be it further

RESOLVED that the Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Service Provider, then the Service Provider shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the Chairman of the Westchester County Board of Legislators, or his authorized designee, is hereby authorized to execute any documents and take any actions reasonably necessary and appropriate to effectuate the purposes of this Resolution.

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	52	2010	5100		\$50,000

Budget Funding Year(s) 2011 Start Date 4/1/11 End Date 12/31/11
(must match resolution)

Funding Source Tax Dollars \$50,000

State Aid _____

\$ \$50,000 Federal Aid _____

(must match resolution)

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT 09/15/2011 DOMARY VIEIRA, SECRETARY