

46551

May 4, 2015

TO: Board of Acquisition and Contract

FROM: Kathleen M. O'Connor, Commissioner
Parks, Recreation and Conservation

RE: **AUTHORITY TO ENTER INTO A LICENSE AGREEMENT WITH
LTTR, LLC FOR THE USE OF ITS PARKING LOT BY THE
PUBLIC USING WILLSON'S WOODS PARK IN MOUNT VERNON
ON WEEKENDS, HOLIDAYS AND AVAILABLE WEEKDAYS
JUNE 27, 2015 THROUGH SEPTEMBER 7, 2015**

Authority is requested for your Honorable Board to authorize the County of Westchester to enter into a license agreement with LTTR, LLC, One Bradford Road, Mount Vernon, NY 10553 ("LTTR") for the use of its parking lot by the public attending Willson's Woods Park on weekends, holidays and available weekdays June 27, 2015 through September 7, 2015 in exchange for the County providing some maintenance services as well as supervision to the parking lot. The County will provide an attendant while the parking lot is in use to oversee the lot and assure that it is maintained and kept free of debris. The County will also maintain some shrubbery and the lawn area immediately adjacent to the parking lot. In addition, the County will indemnify and hold harmless LTTR from and against any and all claims arising from the License.

LTTR is currently in the process of negotiating the sale of its property at One Bradford Road, Mount Vernon, New York. LTTR reserves the right to terminate this agreement, upon thirty (30) days prior written notice, in the event a new owner takes control of the property during the term of this agreement.

The goal of this agreement is to meet parking demands at Willson's Woods Park during its summer operating season. The objective is to maintain and increase attendance and revenue at the park. This agreement promotes fiscal responsibility as the benefit of additional revenue for the use of the parking facility exceeds the County expenses for maintenance and supervision of the parking lot. This License will be monitored by the Parks Department staff on-site to ensure compliance with all the terms of the License. This license is exempt from the procedures of the Procurement Policy under section 3(b) thereof.

A resolution authorizing a License Agreement with LTTR, LLC for the County's use of their parking lot for overflow parking for Willson's Woods Park is attached for your favorable consideration.

RESOLUTION

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

RESOLVED, that the County of Westchester is authorized to enter into a license agreement with LTTR, LLC, One Bradford Road, Mount Vernon, New York 10553 (“LTTR”) for the use of its parking lot by the public attending Willson’s Woods Park on weekends, holidays and available weekdays June 27, 2015 through September 7, 2015 in exchange for the County providing some maintenance services and supervision to the parking lot; and be it further

RESOLVED, that the County will indemnify and hold LTTR harmless from and against any and all claims arising from the License; and be it further

RESOLVED, that the agreement shall provide LTTR with the right to terminate the license agreement upon thirty (30) days prior written notice in the event a new owner takes control of the property at One Bradford Road, Mount Vernon, New York during the term of the agreement; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby empowered to execute any and all instruments and take such other actions as may reasonably be necessary to effectuate the purposes thereof.

Original Agreement \$ n/a
 First Amendment \$ _____
This Amendment \$ _____
 TOTAL \$ _____

Agreement #

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
					N/A

Budget Funding Year(s) Start Date 6/27/2015 End Date 9/7/2015

(Must match resolution)

Funding Source Tax Dollars _____

State Aid _____

N/A Federal Aid _____

(must match resolution) Other _____