

**51917**

DATE: May 3, 2016

TO: Honorable Members of the Board of Acquisition & Contract

FROM: Kevin J. Plunkett  
Acting County Executive

Kathleen M. O'Connor  
Commissioner, Department of Parks, Recreation and Conservation

RE: Resolution authorizing the County of Westchester ("County") to enter into a Restated and Amended Playland Management Agreement with Standard Amusements, LLC.

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As you will recall, on June 15, 2015, your Honorable Board adopted Act 2015-100 which authorized the County of Westchester, ("County") to enter into an agreement with Standard Amusements, LLC ("Standard Amusements"). The agreement was duly executed on or about August 10, 2015 ("Agreement").

Recognizing that more time was needed to complete the necessary due diligence in taking over operations from the County, Standard Amusements requested and, by letter dated October 16, 2015, was granted a five (5) month extension to March 31, 2016 of its option to terminate the Agreement ("Option Date") in exchange for which Standard Amusements paid the County \$25,000.00 as a non-refundable payment. Thereafter, the County Board of Legislators by Act 2016-35 approved on March 30, 2016 authorized the County to amend the Agreement with Standard Amusements in order to extend the Option Date through and including April 29, 2016. Your Honorable Board approved a resolution authorizing this amendment on March 31, 2016. The Option Date was again extended through and including May 3, 2016 by Act 2016-88 approved by the County Board of Legislators on April 18, 2016 and by your Honorable Board on April 21, 2016.

Since the Agreement was entered into, the parties have been working together and preparing for a successful transition for Standard Amusements to take over full management of Playland. As a result of this due diligence, the parties have negotiated revisions to the Agreement that are necessary to carry out this public/private partnership.

Accordingly, attached is a proposed Resolution seeking authorization to enter into a Restated and Amended Playland Management Agreement between the County and Standard Amusements in the form approved by the County Board of Legislators on May 2, 2016.

For the foregoing reasons, I respectfully request the approval of the annexed proposed Resolution.

KJP/KMO/tsa

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/03/2016 - LISA MRIJAS SECRETARY

**RESOLUTION**

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

**RESOLVED**, that the County of Westchester is hereby authorized to enter into a Restated and Amended Playland Management Agreement with Standard Amusements, LLC in the form approved by the County Board of Legislators on May 2, 2016; and, be it further

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

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): 2015-2047 Start Date: upon execution End Date: 10/31/47  
 (must match resolution)

Funding Source Tax Dollars \_\_\_\_\_  
 State Aid \_\_\_\_\_  
\$ N/A Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/03/2016 - LISA M. PAJ, SECRETARY