

22094

October 6, 2010

TO: Honorable Board of Acquisition and Contract

FROM: John J. Hsu, P.E.  
Commissioner of Public Works and Transportation

Mary J. Mahon  
Director of Real Estate

SUBJECT: Resolution authorizing the County of Westchester to enter into a lease agreement with Yessica Mazzarri d/b/a Christy Nails for space at the Coachman Hotel, 131 East Post Road, Store No. 8, Street Floor, White Plains, New York for a term of five (5) years commencing on September 1, 2011 with a monthly rent of \$806.50 for the first year. (Agreement No. 11-929)

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Since the County of Westchester (the "County") acquired the Coachman Hotel in 1993, Christy Nails has leased retail space from the County on the first floor of the building. The current lease expired on August 31, 2011. The current owner, Yessica Mazzarri d/b/a Christy Nails, has requested that the County provide a new lease for this space so that she can continue the business. As the County has no need for this retail space, it is recommended that the County enter into a new five (5) year lease at the following monthly rents, which reflect current market rates:

September 1, 2011 – August 31, 2012	\$ 9,678.00
September 1, 2012 – August 31, 2013	\$10,260.00
September 1, 2013 – August 31, 2014	\$10,764.00
September 1, 2014 – August 31, 2015	\$11,304.00
September 1, 2015 – August 31, 2016	\$11,868.00

Under the terms of the lease, the tenant will be responsible for making all necessary repairs (excluding structural repairs). The County will provide heat and water to serve the leased premises. Either party shall have the right to cancel this lease on sixty (60) days prior written notice to the other party provided the terminating party is not in default under the terms of the lease. As the current lease has already expired, payments will be adjusted to reflect the rates set forth above.

This lease agreement benefits both the County and the public by providing revenue to the County. This lease agreement will be monitored by the Department of Public Works and Transportation to ensure compliance with the terms of the lease agreement. This lease is exempt from the Westchester County Procurement Policy and Procedures pursuant to Section 3(b) thereof.

Approval of the attached resolution is respectfully recommended.

# R E S O L U T I O N

Upon a communication from the Commissioner of Public Works and Transportation and the Director of Real Estate, be it hereby

**RESOLVED**, that the County of Westchester (the "County") is authorized to enter into a lease agreement with Yessica Mazzarri d/b/a Christy Nails for space at the Coachman Hotel, 131 East Post Road, Store No. 8, Street Floor, White Plains, New York for a period of five (5) years commencing on September 1, 2011 at the following monthly rates:

September 1, 2011 – August 31, 2012	\$ 9,678.00
September 1, 2012 – August 31, 2013	\$10,260.00
September 1, 2013 – August 31, 2014	\$10,754.00
September 1, 2014 – August 31, 2015	\$11,304.00
September 1, 2015 – August 31, 2016	\$11,868.00

; and be it further

**RESOLVED**, that under the terms of the lease, the tenant will be responsible for making all necessary repairs (excluding structural repairs), and the County will provide heat and water to serve the leased premises; and be it further

**RESOLVED**, that either party shall have the right to cancel this lease on sixty (60) days prior written notice to the other party provided the terminating party is not in default under the terms of the lease; and be it further

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

Agreement No. 11-929

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	46	3300	9274		\$ 3,226.00 (2011)
	101	46	3300	9274		\$ 9,872.00 (2012)
	101	46	3300	9274		\$10,428.00 (2013)
	101	46	3300	9274		\$10,944.00 (2014)
	101	46	3300	9274		\$11,492.00 (2015)
	101	46	3300	9274		\$ 7,912.00 (2016)

Budget Funding Year(s) 2011-2016 Start Date 09/01/11 End Date 08/31/16  
 (must match resolution)

Funding Source: Tax Dollars \_\_\_\_\_ Contractor Federal I.D. No./  
 Social Security No.: \_\_\_\_\_  
 State Aid \_\_\_\_\_  
\$53,874.00 Federal Aid \_\_\_\_\_ Vendor No.: \_\_\_\_\_  
 (must match resolution) Other Revenue Encumbrance No.: \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/27/2011 - CHRISTY VIERA, SECRETARY