

**39946**

May 6, 2014

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 SOUND CHARTER GROUP, LLC., 43 GROVE POINT, WESTPORT, CT 06880 FOR THE OPERATION OF A MISSISSIPPI PADDLE BOAT CRUISE SERVICE UTILIZING THE PIER, DOCK, RAMP AND MOORINGS LOCATED OFF THE PLAYLAND PIER FOR THE PERIOD JUNE 1, 2014 THROUGH JANUARY 2, 2015

Authority is requested for the County of Westchester to enter into a license agreement with Sound Charter Group LLC. ("SCG"), 43 Grove Point, Westport, CT 06880 for the operation of a Mississippi Paddle Boat cruise service utilizing the pier, dock, ramp and moorings located off the Playland Pier for the term commencing June 1, 2014 and terminating January 2, 2015 (the "License").

The vessel that will be utilized by SCG is a three story, six hundred passenger Mississippi Paddle Boat known as The Island Belle. SCG will charter The Island Belle for harbor and dinner cruises as well as for private functions such as fundraisers, corporate events, weddings, proms and bar and bat mitzvahs.

The Island Belle will be operated and maintained and insured solely by SCG. The County will provide SCG with working hydraulic boat ramps which are currently in place and which will be maintained by SCG during the term of the License. A licensed dock master is required to operate the hydraulic boat ramps when a boat is docking at the Playland pier and SCG will provide a dock master for all of their excursions. In the past, if charter boats were given permission by Playland to use the pier, Playland provided a dock master. Playland currently has no employees who are licensed dock masters, so pursuant to the License SCG has agreed to provide its dock master for other boats docking at the Playland pier at the rate of \$400 per seven hour day, and at the rate of \$60 per hour thereafter.

As consideration for this license privilege, SCG will pay the County of Westchester a license fee of \$2,000 for each full month for a total license fee of \$14,000 for the License term plus \$1.50 per person for each boarded guest.

The food service provider for The Island Belle has not yet been selected. Authority is therefore further requested for your Honorable Board to delegate to the Commissioner of Parks, Recreation and Conservation the authority to approve appropriate and qualified food service subcontractors.

The goal and objective of this License is to allow SCG and the County to offer a new attraction to draw additional patrons to Playland and Westchester's waterfront. This proposed License promotes fiscal responsibility as the County will benefit from the revenue generated and the increase in attendance.

The objective of this agreement will be tracked using site inspections and revenue reports.

This agreement is exempt from the County's procurement policy pursuant to Section 3 (b).

A Resolution is attached for your favorable consideration.

KMO/DI

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/05/2014 - JOMAR VIEIRA, SECRETARY

## 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 Sound Charter Group LLC. ("SCG"), 43 Grove Point, Westport, CT 06880 for the operation of a Mississippi Paddle Boat cruise service utilizing the pier, dock, ramp and moorings located off the Playland Pier at a license fee payable by SCG to the County of \$2,000 for each full month, for a total license fee of \$14,000 for the License term plus \$1.50 per person for each boarded guest, for the term commencing June 1, 2014 and terminating January 2, 2015 (the "License"); and be it further

**RESOLVED**, that the vessel that will be utilized by SCG is a three story, six hundred passenger Mississippi Paddle Boat known as The Island Belle; and be it further

**RESOLVED**, that The Island Belle will be operated and maintained solely by SCG and SCG will be responsible for maintenance of the hydraulic boat ramps; and be it further

**RESOLVED**, that SCG will provide a licensed dock master for all of their excursions and pursuant to the License, SCG has agreed to provide its licensed dock master for other boats docking at the Playland pier at the rate of \$400 per seven hour day, and at the rate of \$60 per hour thereafter; and be it further

**RESOLVED**, that the Commissioner of Parks, Recreation and Conservation is hereby authorized to approve appropriate and qualified food service subcontractors for The Island Belle pursuant to the License; 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      \$ **18,800**  
 First Amendment      \$ \_\_\_\_\_  
**This Amendment**      \$ \_\_\_\_\_  
 TOTAL                      \$ 18,800

Agreement # PRC-942

Account to be  
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/Sub- Object	Trust Account	Dollars
165	42	5520	9205		\$14,000
165	42	5520	9205		\$4,800 *

\* Estimated

Budget Funding Year(s) 2014      Start Date 6-1-14      End Date 1-2-2015  
 (must match resolution)

Funding Source      Tax Dollars \_\_\_\_\_  
                                  State Aid \_\_\_\_\_  
**\$ 18,800**              Federal Aid \_\_\_\_\_  
 (must match resolution)      Other Estimated Revenue \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/05/2014 - PRIMARY VIEIRA, SECRETARY