

49786

December 2, 2015

TO: Board of Acquisition and Contract

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

RE: **Authority to amend a February 27, 2014 resolution which authorized the County to enter into a license agreement with Doggone Right, Inc. for the use of the Bronx Street Bus Terminal Building on the Bronx River Parkway in White Plains, New York for the operation of a food concession in order to change the term of the agreement to January 1, 2016 through December 31, 2020.**

On June 20, 2013, this Board authorized the County of Westchester to enter into a license agreement with Bestchester's Inc. for the use of the Bronx Street Terminal Building on the Bronx River Parkway in White Plains, New York, for the term of June 15, 2013 through June 14, 2018 the sole option on the part of the County to extend the agreement for a period of five years. Subsequently, on February 27, 2014, this Board approved a resolution amending the June 20, 2013 resolution to change the name of the Licensee to Doggone Right, Inc. and to amend the term to March 1, 2014 through February 28, 2019, with the sole option on the part of the County to extend the agreement for an additional period of five years from March 1, 2019 through February 28, 2024. The license was never executed.

As part of the License Fee, Doggone Right, Inc. agreed to invest a minimum of one hundred and ninety nine thousand (\$199,000) dollars in capital improvements to the Bronx Street Terminal Building and surrounding area. Since approval of the prior resolution, the Department of Parks, Recreation and Conservation and Doggone Right, Inc. has determined that due to the extensive nature of the renovations and the required approvals, it will not be possible to open the restaurant before 2016.

Authority is hereby requested to amend the resolution approved February 27, 2014 to change the dates of the initial term of the License to a term commencing on January 1, 2016 and terminating on December 31, 2020 with the sole option of the County of Westchester to extend the License for the period of January 1, 2021 through December 31, 2025 for a license fee to be negotiated. All other terms and conditions of the February 27, 2014 resolution shall remain unchanged.

The goal of the License is to allow Doggone Right, Inc. to complete renovations to the concession location. These renovations will have a long lasting impact on the County's ability to serve patrons on the Bronx River Reservation. The goal of this agreement is to rehabilitate an unused County asset and transform it into a viable revenue producing operation to serve park patrons. The objective of this agreement will be tracked and monitored by observations and interactions with staff and site visits.

The objectives of this agreement will be monitored through revenue reports and site visits from Department of Parks, Recreation and Conservation staff.

A resolution is attached for your favorable consideration.

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/22/2015 - JOAN COCCIARDI, SECRETARY

**RESOLUTION**

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

**RESOLVED**, that the County is authorized to amend a Resolution approved on February 27, 2014 which authorized the County to enter into a license agreement with Doggone Right, Inc. for the use of the Bronx Street Bus Terminal Building on the Bronx River Parkway in White Plains, New York for the operation of a food concession, in order to change the term of the agreement from March 1, 2014 through February 28, 2019 with the sole option of the County of Westchester to extend the agreement from March 1, 2019 through February 28, 2024 to a new term of January 1, 2016 to December 31, 2020, with the sole option on the part of the County to extend the agreement from January 1, 2021 through December 31, 2025; and be it further

**RESOLVED**, that all other terms and conditions of the February 27, 2014 Resolution shall remain in full force and effect; and be it further

**RESOLVED**, that the County Executive or his authorized designee is hereby authorized to execute all instruments necessary to implement this Resolution.

Agreement #

Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars	
165	42	1100	9246		500	2016
165	42	1100	9246		750	2017
165	42	1100	9246		1,000	2018
165	42	1100	9246		1,250	2019
165	42	1100	9246		1,500	2020

Budget Funding Year(s) 2016-2020 Start Date 1/1/2016 End Date 12/31/2020  
(must match resolution)

Funding Source Tax Dollars \_\_\_\_\_

State Aid \_\_\_\_\_

**\$ 5,000**  
(must match resolution) Federal Aid \_\_\_\_\_

Other Revenue \_\_\_\_\_