

51775

April 20, 2016

TO: Board of Acquisition and Contract

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

RE: **AUTHORIZATION TO ENTER INTO A PERMIT AGREEMENT WITH THE CORRECTION OFFICERS' BENEVOLENT ASSOCIATION OF NYC ("COBA") 75 BROAD STREET, SUITE 810, NEW YORK, NY 10004 FOR THE EXCLUSIVE USE OF PLAYLAND PARK FOR ITS MEMBERS AND INVITED GUESTS ON SATURDAY, SEPTEMBER 17, 2016 FROM 11:00 AM TO 9:00 PM FOR A SUM OF \$128,000 BASED ON 8,000 GUESTS WITH A RAIN DATE ON SUNDAY SEPTEMBER 18, 2016.**

Authorization is requested to enter into a permit agreement with the Correction Officers' Benevolent Association of NYC ("COBA"), 75 Broad Street, Suite 810, New York, NY 10004 for the exclusive use of Playland Park for its members and invited guests from 11:00 am to 9:00 pm on Saturday, September 17, 2016 with a rain date on Sunday September 18, 2016.

COBA will pay a fixed fee of \$128,000 for up to 8,000 guests and \$16 for each guest over 8,000. The fee covers costs for mini golf and all adult and kiddyland rides.

The \$128,000 minimum fee received by the County will be ride revenue. Ride concessions will be reimbursed a portion of the \$128,000 in ride revenue based upon actual ridership on the event date. The \$16 for each guest over 8,000 will also be ride revenue. Ride concessions will be reimbursed a portion of the \$16 based on actual ridership on the event date.

The County will be collecting a \$5.00 per vehicle parking fee on the day of the event. The total amount collected will be split between the County (50%) and COBA (50%).

Since the above permit fee does not include payment for food, members of COBA will be purchasing food from Playland's food concession on the day of the event. Playland will therefore, in addition to the fixed fee, receive 20% of the revenue generated from a separate food and beverage agreement between COBA and CulinArt, Inc., the County's food concessionaire for Playland Park.

The goal of this agreement is to increase County revenue while utilizing the amusement park on a day when it is traditionally closed. Private events like this generate additional revenue for the department and help to decrease the tax levy. This agreement therefore serves the public interest as it helps to ease the tax burden of Westchester County residents.

The goal and objective of this agreement will be monitored using attendance and revenue reports.

This agreement is exempt from the Westchester County procurement policy pursuant to Section 3(b) of that policy in that it is a license.

A resolution is attached for your favorable consideration.

## RESOLUTION

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

**RESOLVED**, that the County of Westchester is authorized to enter into a permit agreement with the Correction Officers' Benevolent Association of NYC ("COBA"), 75 Broad Street, Suite 810, New York, NY 10004 for the exclusive use of Playland Park for its employees and invited guests from 11:00 am to 9:00 pm on Saturday, September 17, 2016 with a rain date on Sunday September 18, 2016; and be it further

**RESOLVED**, that for this privilege COBA shall pay \$128,000 as an all-inclusive permit fee for up to 8,000 guests. COBA also agrees to pay \$16 per guest for each guest over 8,000. For this privilege, Playland will provide mini golf and all adult and kiddyland rides; and be it further

**RESOLVED**, that the County shall reimburse ride concessions a portion of the \$128,000 in ride revenue based on actual ridership on the event date and shall reimburse ride concessions a portion of the \$16 for each guest over 8,000 based on actual ridership on the event date; and be it further

**RESOLVED**, that the County will be collecting a \$5.00 per vehicle parking fee on the day of the event. The total amount collected will be split between the County (50%) and the Permittee (50%); and be it further

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

Original Agreement      \$128,000  
 First Amendment        \$  
**This Amendment**        \$ \_\_\_\_\_  
 TOTAL                      \$128,000

Agreement # PRC-1062

Account to be  
 Charged/Credited

| Fund | Dept | Major Program,<br>Program & Phase<br>Or Unit | Object/<br>Sub-Object | Trust<br>Account | Dollars   |
|------|------|--|-----------------------|------------------|-----------|
| 165  | 42   | 5520   | 9201                  |                  | \$128,000 |
|      |      |  |                       |                  |           |
|      |      |  |                       |                  |           |
|      |      |  |                       |                  |           |

Budget Funding Year(s) 2016    Start Date 9/17/16    End Date 9/18/16  
 (must match resolution)

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

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

**\$128,000**                      Federal Aid \_\_\_\_\_

(must match resolution)

Other \_\_\_ REVENUE \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/12/2016 - LISA MRIJAJ, SECRETARY