

Department of Parks, Recreation
& Conservation

ID72215

November 26, 2019

TO: Board of Acquisition and Contract

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

RE: **Authority to enter into an agreement with Tudor III Realty, LLC, 200 Madison Avenue, 24th Floor, New York, New York 10016 to operate and maintain an access entry drive across lands of the Briarcliff Peekskill Parkway, Parcel 11, Sheet 18 between Route 9A and the Licensee's shopping center in the Village of Briarcliff Manor from November 1, 2019 through October 31, 2024.**

Authority is requested to enter into an agreement with Tudor III Realty, LLC ("Tudor"), 200 Madison Avenue, 24th Floor, New York, New York 10016 to operate and maintain an access entry drive across lands of the Briarcliff Peekskill Parkway, Parcel 11, Sheet 18 between Route 9A and the Licensee's shopping center in the Village of Briarcliff Manor from November 1, 2019 through October 31, 2024.

For the privilege of using the access entry drive, Tudor shall pay to the County the following annual license fees:

<u>Period</u>	<u>License Fee</u>
11/1/19-10/31/20	\$5,563
11/1/20-10/31/21	\$5,730
11/1/21-10/31/22	\$5,902
11/1/22-10/31/23	\$6,079
11/1/23-10/31/24	\$6,262

The public purpose of this agreement is to allow Tudor to operate and maintain an access entry drive to promote economic activity and generate tax revenue. The goal of this agreement is to provide revenue to the County. The objective of this agreement will be tracked and monitored by site visits and revenue reports.

The application of the Westchester County Procurement Policy and Procedures does not apply to this agreement pursuant to Section 3(b) thereof.

A resolution is attached for your favorable consideration.

KOC/JMC

RESOLUTION

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

RESOLVED, that the County of Westchester (“County”) is hereby authorized to enter into an agreement with Tudor III Realty, LLC, 200 Madison Avenue, 24th Floor, New York, New York 10016 (“Tudor”) whereby Tudor will operate and maintain an access entry drive across lands of the Briarcliff-Peekskill Parkway (Parcel 11, Sheet 18) between Route 9A and the Licensee’s shopping center on County-owned real property at Route 9A and North State Road in the Village of Briarcliff Manor for the period of November 1, 2019 through October 31, 2024; and be it further

RESOLVED, that Tudor shall pay to the County the following license fees for the privilege of using the driveway access:

<u>Period</u>	<u>License Fee</u>
11/1/19-10/31/20	\$5,563
11/1/20-10/31/21	\$5,730
11/1/21-10/31/22	\$5,902
11/1/22-10/31/23	\$6,079
11/1/23-10/31/24	\$6,262; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

Original Agreement \$
 First Amendment \$
 This Amendment \$
 TOTAL \$29,536

Agreement # PRC-1232

Account to be
 Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars	
165	42	1100	9542		5,563	2019
165	42	1100	9542		5,730	2020
165	42	1100	9542		5,902	2021
165	42	1100	9542		6,079	2022
165	42	1100	9542		6,262	2023

Budget Funding Year(s) 2019-2023 Start Date 11/1/2019 End Date 10/31/2024
 (must match resolution)

Funding Source Tax Dollars _____
 State Aid _____
\$29,536 Federal Aid _____
 (must match resolution) Other Revenue _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/19/2019 - USA MRIJAJ, SECRETARY