

February 17, 2010

TO: Board of Acquisition and Contract

FROM: Joseph A. Stout, Commissioner
Parks, Recreation and Conservation

RE: AUTHORITY TO ENTER INTO A LICENSE AGREEMENT WITH EUROPEAN BODY ART, 878 W. 16th STREET, NEWPORT BEACH, CA 92663 FOR THE OPERATION OF A TEMPORARY BODY ART CONCESSION AT PLAYLAND PARK, RYE, NEW YORK FOR THE 2010, 2011 AND 2012 OPERATING SEASONS FOR A TERM COMMENCING MAY 1, 2010 AND TERMINATING OCTOBER 31, 2012.

Authority is requested of this Board for the County of Westchester to enter into a license agreement with European Body Art, 878 W. 16th Street, Newport Beach, CA 92663 for the operation of a temporary body art concession at Playland Park, Rye, New York for the 2010, 2011 and 2012 operating seasons for a term commencing May 1, 2010 and terminating October 31, 2012.

As consideration for this license privilege, European Body Art will pay the County of Westchester a license fee equal to 35% of gross receipts during each year of the agreement.

The goal of this agreement is to provide a new concession for park patrons. This agreement promotes fiscal responsibility as the County will benefit through the revenue generated through it. If this agreement were not in place, this concession would not be available for patron use. More specifically, if this resolution were not approved, there would be negative consequences to County residents since the less revenue the County generates the greater the burden placed on the taxpayer.

The objectives of this agreement will be monitored through site visits and the review of financial reports.

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

A Resolution is attached for your favorable consideration.

RESOLUTION

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

RESOLVED, that the County of Westchester is authorized to enter into a license agreement with European Body Art, 878 W. 16th Street, Newport Beach, CA 92663 for the operation of a temporary body art concession at Playland Park, Rye, New York for the 2010, 2011 and 2012 operating seasons for a term commencing May 1, 2010 and terminating October 31, 2012; and be it further

RESOLVED, that for this license privilege, European Body Art will pay the County of Westchester a license fee of equal to 35% of gross receipts in each year of the agreement; 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.

APPROVED BOARD OF ACQUISITION & CONTRACT - 3-4-2010 - JOMARY VIEIRA, SECRETARY

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
165	42	5520	9205		\$10,000*
165	42	5520	9205		\$10,000*
165	42	5520	9205		\$10,000*

2010
2011
2012

*Estimated

Budget Funding Year(s) **2010-2012** Start Date **5/1/2010** End Date **10/31/2012**
(must match resolution)

Funding Source Tax Dollars _____

State Aid _____

\$30,000 *estimated Federal Aid _____

(must match resolution)

Other REVENUE _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 3-4-2010 - JGMARY VIEIRA, SECRETARY