

Department of Parks, Recreation
& Conservation

ID 80053

November 4, 2020

TO: Board of Acquisition and Contract

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

RE: **Authority to amend the resolution of August 13, 2020 with Belize Impresa Ltd., 22 Ridgeway Avenue, North Salem, New York for the operation of the golf professional concession at Hudson Hills Golf Course, Ossining, New York in order to add a fee for 18-hole rounds in excess of 25,000 rounds and to correct a typographical error.**

On August 13, 2020, the Board of Acquisition and Contract approved a resolution to terminate a license agreement with Belize Impresa Ltd. ("Belize"), 22 Ridgeway Avenue, North Salem, New York and to enter into a new license agreement with Belize for the operation of the golf professional concession at Hudson Hills Golf Course, Ossining, New York for the period of January 1, 2021 through December 31, 2025, with the sole option of the County to extend the agreement for an additional five-year term (the "Resolution"). The license agreement has not yet been executed.

The Resolution provided a fee for 18-hole golf rounds but did not specify that the rates for 18-hole rounds should only be up to 25,000 18-hole rounds for both the term from January 1, 2021 through December 31, 2025 and also for the option period. This request is for the Resolution to be amended to reflect a reduced fee for 18-hole rounds in excess of 25,000, for both the initial term and the option term.

Authority is now requested to amend the August 13, 2020 resolution in order to clarify the following:

The County will pay Belize a portion of all rounds for the first 25,000 rounds as follows:

<u>Year</u>	<u>Fee/18-hole round</u>	<u>Fee/9-hole round</u>
2021	\$9.00	\$6.00
2022	\$9.00	\$6.00
2023	\$9.00	\$6.00
2024	\$9.00	\$6.00
2025	\$10.00	\$7.00

The County will pay Belize a portion of all 18-hole rounds in excess of 25,000 18-hole rounds as follows, 9-hole rounds shall remain the same:

<u>Year</u>	<u>Fee/18-hole round</u>
2021	\$6.00
2022	\$6.00
2023	\$6.00
2024	\$6.00
2025	\$7.00.

If, at its sole option, the County decides to extend the agreement from January 1, 2026 through December 31, 2030, the County will pay Belize a portion of all rounds up to 25,000 rounds as follows:

<u>Year</u>	<u>Fee/18-hole round</u>	<u>Fee/9-hole round</u>
2026	\$10.00	\$7.00
2027	\$10.00	\$7.00
2028	\$11.00	\$8.00
2029	\$11.00	\$8.00
2030	\$11.00	\$8.00.

In excess of 25,000 rounds, Belize shall receive a portion of all 18-hole rounds as follows, 9-hole rounds shall remain the same:

<u>Year</u>	<u>Fee/18-hole round</u>
2026	\$7.00
2027	\$7.00
2028	\$8.00
2029	\$8.00
2030	\$8.00.

In addition, the first resolved clause in the Resolution will be corrected to identify the location of Hudson Hills Golf Course in Ossining, New York. It was incorrectly identified as being in Yorktown Heights, New York.

All other terms and conditions of the resolution shall remain in full force and effect.

The goal of this agreement is to provide revenue for the County and provide important services for golfers. The objectives of this agreement will be monitored through revenue reports and site visits from Department of Parks, Recreation and Conservation staff.

This agreement is exempt from the Westchester County procurement policy pursuant to Section 3(b), thereof.

RESOLUTION

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

RESOLVED, that the resolution dated August 13, 2020 authorizing the County to terminate a license agreement with Belize Impresa Ltd. (“Belize”), 22 Ridgeway Avenue, North Salem, New York and to enter into a new license agreement with Belize for the operation of the golf professional concession at Hudson Hills Golf Course, Ossining, New York for the term January 1, 2021 through December 31, 2025, with the sole option on the part of the County to extend the agreement for an additional five-year term (the “Resolution”) is hereby amended to revise the fee per 18-hole rounds to adjust the fee structure; and be it further

RESOLVED, that the fourth “Resolved” clause in the Resolution is hereby deleted in its entirety and replaced with the following:

“RESOLVED, that for the privilege of operating the golf professional concession at Hudson Hills Golf Course, during each year of the License Agreement, Belize shall receive a portion of all rounds for the first 25,000 rounds as follows:

<u>Year</u>	<u>Fee/18-hole round</u>	<u>Fee/ 9-hole round</u>
2021	\$9.00	\$6.00
2022	\$9.00	\$6.00
2023	\$9.00	\$6.00
2024	\$9.00	\$6.00
2025	\$10.00	\$7.00.

In excess of 25,000 rounds, Belize shall receive a portion of all 18-hole rounds as follows, 9-hole rounds shall remain the same:

<u>Year</u>	<u>Fee/18-hole round</u>
2021	\$6.00
2022	\$6.00
2023	\$6.00
2024	\$6.00
2025	\$7.00; and be it further”

; and be it further

RESOLVED, that the eighth “Resolved” clause in the Resolution is hereby deleted in its entirety and replaced with the following:

“RESOLVED, that if, at its sole option, the County decides to extend the agreement from January 1, 2026 through December 31, 2030, Belize shall receive a portion of all rounds for the first 25,000 rounds as follows:

<u>Year</u>	<u>Fee/18-hole round</u>	<u>Fee/9-hole round</u>
2026	\$10.00	\$7.00
2027	\$10.00	\$7.00
2028	\$11.00	\$8.00
2029	\$11.00	\$8.00
2030	\$11.00	\$8.00.

In excess of 25,000 rounds, Belize shall receive a portion of all 18-hole rounds as follows, 9-hole rounds shall remain the same:

<u>Year</u>	<u>Fee/ 18-hole round</u>
2026	\$7.00
2027	\$7.00
2028	\$8.00
2029	\$8.00
2030	\$8.00; and be it further”

; and be it further

RESOLVED, that the first “Resolved” clause in the Resolution is hereby amended to reflect that the location of Hudson Hills Golf Course is in Ossining, New York; and be it further

RESOLVED, that all other terms and conditions of the 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.

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/25/2020 - JOAN COCCIARDI, SECRETARY

Agreement #

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars

Budget Funding Year(s) _____ Start Date _____ End Date _____
(must match resolution)

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

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/25/2020 - JOAN COCCIARDI, SECRETARY