

ID 94410

June 27, 2022

To: The Honorable Board of Acquisition and Contract

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

Re: Authority to further amend a License Agreement with Westchester Parks Foundation, Inc. for the use of office space and for the provision of cultural, educational, leisure time and other programs and activities on behalf of the Department of Parks, Recreation and Conservation, for the period October 1, 2018 through September 30, 2023, to allow the County to reimburse Westchester Parks Foundation, Inc. for program revenues or donations collected by the County on behalf of the Foundation.

On August 1, 2013 your Honorable Board approved a resolution authorizing the County of Westchester ("County") to enter into a License Agreement with the Friends of Westchester County Parks, Inc., a not-for-profit organization, to utilize office space at 450 Saw Mill River Road, Ardsley, New York and to provide various cultural, educational, leisure time and other programs and activities on behalf of the Department of Parks, Recreation and Conservation ("Department") for a term commencing October 1, 2013 through September 30, 2018, with a County option to renew the License for an additional five (5) year term (the "License Agreement"). As compensation for the privilege of operating the License, Friends of Westchester County Parks, Inc. agreed to pay the County an annual fee of \$100.00. In addition, all net proceeds of its fund raising activities would be used to fund other Foundation licensed activities on behalf of the Department. The License Agreement was subsequently executed.

On May 19, 2016 your Honorable Board approved a resolution authorizing the County to amend the License Agreement for the limited purpose of reflecting a change in the name of the legal entity from Friends of Westchester County Parks, Inc. to Westchester Parks Foundation, Inc., (the "Foundation"). All other terms and conditions of the License Agreement remained the same.

On April 5, 2018 your Honorable Board approved a resolution authorizing the County to exercise its option to renew the License Agreement with the Foundation for a term commencing October 1, 2018 through September 30, 2023. All other terms and conditions of the License Agreement remained the same.

Authority is now requested to further amend the License Agreement with the Foundation to allow the County to reimburse the Foundation for program revenues or donations collected by the County on behalf of the Foundation. All other terms and conditions of the agreement shall remain the same.

The Foundation was formed in 1977 exclusively for charitable purposes and solely for the benefit of the Department. They have become an integral partner in the cooperative effort of the Department and the private sector in the support and development of the unique and beautiful County parks.

The goal and objective of this agreement is for the Foundation to assist in promoting the mission of the Department by developing and financially supporting workshops, professional development initiatives, program sponsorships, facility enhancements and other special projects and events that provide recreational, educational and cultural opportunities for the public. The Department's personnel will track and monitor the organization of the various events and programs and donations.

This Agreement is exempt from the Westchester County Procurement Policy and Procedures pursuant to Section 3(b) thereof.

A Resolution is attached for your favorable consideration.

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/21/2022 RAYMOND SCUDLARK SECRETARY

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 authorized to further amend a License Agreement with Westchester Parks Foundation, Inc. (the "Foundation"), a not-for-profit organization, pursuant to which the County granted the Foundation a license to utilize office space at 450 Saw Mill River Road, Ardsley, New York and to provide various cultural, educational, leisure time and other programs and activities on behalf of the Department of Parks, Recreation and Conservation ("Department") for a term commencing October 1, 2018 through September 30, 2023 for an annual license fee of \$100.00, in order to allow the County to reimburse the Foundation for program revenues or donations collected by the County on behalf of the Foundation; and be it further

RESOLVED, that all other terms and conditions of the License Agreement shall remain the same; and be it further

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

Original Agreement	\$ 500.00
First Amendment	\$ 500.00
This Amendment	\$ _____
TOTAL	\$1,000.00

Agreement # PRC-1174A

Account to be Credited

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

Budget Funding Year(s) 2018-2023 Start Date 10/1/2018 End Date 9/30/2023
 (must match resolution)

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

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/21/2022 - RAYMOND SCULKY, SECRETARY