

**#102686**

July 26, 2023

To: The Honorable Board of Acquisition and Contract

From: George Latimer  
County Executive

Re: **Resolution authorizing the County of Westchester to enter into a license agreement with the Westchester County Local Development Corporation pursuant to which the County will license office space to the Corporation as well as provide personnel and support services for a one (1) year term commencing on January 1, 2023 in exchange for which the Corporation will pay the County an amount not to exceed \$317,878.**

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The Westchester County Local Development Corporation (the "LDC") was established to provide assistance to Non-Profit Organizations in the County and region and to work towards maintaining the economic vitality of the County through enabling the organization to further this mission. The attached resolution, if approved by your Board, would authorize a license agreement between the County of Westchester (the "County") and the LDC, pursuant to which the County would provide the LDC with office space as well as personnel and support services from the County's Office of Economic Development, as detailed in Schedule "A", attached hereto, for a term commencing on January 1, 2023 and continuing through December 31, 2023. In consideration for the grant of license and provision of personnel and support services, the LDC shall reimburse the County an amount not-to-exceed \$317,878, in accordance with the budget attached hereto as Schedule "A".

The services provided pursuant to this Agreement will serve a public purpose by helping to provide crucial services for expanding Non-Profit businesses.

The goals and objectives of the Agreement are to solidify Westchester's work force and to continue to expand Westchester's tax base, keeping Westchester as a premiere location in which to live or work.

The goals and objectives are in the best interest of the County in terms of fiscal responsibility because the LDC is self-funded and provides services to grow the County's tax base. The goals and objectives of this agreement are tracked and monitored by the Westchester County Local Development Corporation, the County administration, the Office of New York State Comptroller and the New York State Authorities Budget Office.

As the County is not procuring services, but instead providing them, this agreement is not subject to the Procurement Policy.

Based on the benefits provided to the Westchester County by LDC, approval of the attached resolution is respectfully recommended.

GL/dck  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/31/2023 - JOAN COCCIARDI SECRETARY

## RESOLUTION

Based upon a communication from George Latimer, County Executive, be it hereby

**RESOLVED**, that the County of Westchester (“County”) is hereby authorized to enter into a License Agreement with the Westchester County Local Development Corporation (“LDC”), pursuant to which the County will provide the LDC with office space, personnel and support services for a one-year period commencing on January 1, 2023 and continuing through December 31, 2023; and be it further

**RESOLVED**, that in consideration for the grant of license and personnel and support services rendered, LDC shall pay the County an amount not to exceed \$317,878, in accordance with the budget set forth in Schedule “A”, attached hereto and made a part hereof; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is authorized to execute all documents and take all actions necessary to effectuate the purposes thereof.

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	101	11	0710	9289	N/A	\$142,659
	101	16	6000	9289	N/A	\$ 3,400
	101	46	2000	9289	N/A	\$ 2,500
	101	52	Various fringe a/c's	various	N/A	\$119,319
	101	52	Various-other	various	N/A	\$ 50,000

Budget Funding Year(s)  
(must match resolution)

Start Date 1-1-2023

End Date: 12-31-2023

Funding Source:

Tax Dollars \_\_\_\_\_

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

\$317,878

Federal Aid \_\_\_\_\_

Other Revenue \_\_\_\_\_

## **SCHEDULE "A"**

### **Contract Between Westchester County Local Development Corporation (LDC) and Westchester County**

#### **2023 County services provided for operation of LDC**

**\$118,268 - Administrative Services**- Subject to appointment by the Board of Directors of the LDC (Board), the County will provide County administrative personnel for the positions of Executive Director of the LDC and Assistant Secretary of the LDC. The Executive Director will be responsible for the administration of the LDC's Policies and Procedures established by the Board, maintenance and updating of the LDC's website, reporting to various government agencies as required, reporting to various Board Committees as required, and communicating with businesses which have projects before the LDC. The Executive Director will track each project's status and co-ordinate the required processes and documentation for the completion of each project.

The Assistant Secretary of the LDC will be responsible for maintaining the LDC's records and documents supporting various projects, both current and past, assist the Executive Director in reporting to various government agencies as required, record and maintain the minutes of the LDC's Board of Directors, prepare project billings and collection follow up as needed, prepare LDC payment vouchers with appropriate supporting documents. Additional hourly personnel are also utilized to assist in this function.

The above represent some of the major responsibilities of the LDC's Executive Director and Assistant Secretary. They are not all inclusive.

**\$2,500 - Rent and maintenance** of office space, secured space in basement for active files, including heat and electricity, use of meeting rooms, parking and other amenities. The legal offices of the LDC and its operations are located on the 9<sup>th</sup> floor of 148 Martine Avenue, White Plains, New York.

**\$400 - Record Center** - to provide approximately 40 cu.ft. of storage.

**\$3,000 - Telecommunication** - to provide telecommunications services and network and internet connections for scanners and computers, and various software services including Microsoft office suite, Adobe products and for maintenance of existing equipment and purchase of new equipment as needed.

#### **\$181,210- Utilization of Office of Economic Development (OED) and other County Executive personnel to undertake the following activities:**

**Personnel:** Director of Economic Development, Senior Assistant to the County Executive and Administrative Aides to the County Executive.

The OED will be responsible for undertaking marketing to attract new business and retain current County businesses on behalf of the LDC. Tasks will be undertaken in coordination with the LDC and will include, but not be limited to the following:

- Continue multi-year marketing and promotional campaign to highlight the assets of the County to promote expansion and retention of existing businesses and attract new investment and relocations to the County
- Coordinate Marketing Program for Business Retention, Expansion and Attraction, including continuation of branding identity program for the County
- Undertake business visitations to assess needs, attitudes and pulse of the economy, job growth, business climate
- Initiate public speaking appearances to promote activities of the OED and LDC
- Identify and facilitate business retention, expansion and attraction of private sector job-producing investments through LDC and existing programs,
- Facilitate referral of eligible businesses to participate in LDC programs,
- Support programs that strengthen the global and domestic competitiveness of local businesses,
- Improve the educational and job skills of the County's work force through existing state and federal programs, and
- Promote upward mobility and increased per capita income levels by facilitating utilization of the County's workforce initiatives and programs.
- Undertake Intra-County promotion via all forms of media to educate businesses of existing programs
- Prepare informational e-documents to the local business community
- Maintain economic data detailing commercial real estate occupancy, jobs and firm data and unemployment rate.

The OED and other CE personnel will also provide the following services to the LDC:

- Fiscal management services for the LDC's financial resources consistent with regulations provided by the Public Authority Accountability Act and sound accounting practices. The County staff shall monitor the LDC's Investment Policy, establish and maintain separate and independent accounts and depository from the County, as well as separate checks, and coordinate the investment of LDC funds with the LDC Board of Directors when necessary. The County staff will also provide bookkeeping services, prepare quarterly analysis of the financial accounts, prepare financial statements for the LDC Board of Directors, prepare account analysis and reconciliations for outside auditors, meet with the LDC Board's Audit and Finance Committees, prepare the LDC's budget, and prepare the PARIS filings with the New York State Authority Budget Office as needed.

**\$ 12,500 - Estimated Non-Personnel Costs** related to the operation of the Office of Economic Development and for copier usage and graphic design services for advertisements for internal marketing of programs and services, design and printing of flyers and publications and direct mail services, some of which are joint activities promoting retention and attraction initiatives.

**\$317,878 – TOTAL** This total amount and all of the subtotals above are based upon a mutually agreed upon budget for specific services and shall not be construed to be an unlimited claim upon the County for services for the amounts paid hereunder. For example, IT services assume a

fixed number of telephones and computers. When this total amount is expended, the County shall have no obligation to provide further services without additional compensation.

***Note: Reimbursement by the Agency will be on a yearly basis.***

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