Monroe County
Clerk of the Legislature

Jack Moffitt
Clerk

David Grant
Deputy Clerk

MEMORANDUM

TO: Legislators, Directors, Staff and Media

FROM: Jack Moffitt, Clerk of the Legislature

DATE: April 28, 2020

RE: Matters of Importance – File Nos. 20-0166 & 20-0167

20-0166   Directing the Clerk of the Legislature to Present Referral 20-0028 Entitled "ENACTING A LOCAL LAW TO AMEND LOCAL LAW NO. 5 OF 1997, ENTITLED 'AUTHORIZING LEASE TO DEPAUL ADULT CARE COMMUNITIES, INC.'" (Intro. 42 of 2020) to the County Executive in order to Recommence the Notice Period for the Public Hearing to be Held by the County Executive – As a Matter of Importance – County Executive Adam Bello

20-0167   Acceptance of a Grant from the Federal Aviation Administration (Coronavirus Aid, Relief, and Economic Security Act Airport Grant Program) Related to the Operation and Maintenance of the Greater Rochester International Airport – As a Matter of Importance – County Executive Adam Bello

These referrals were not made to committee at the preceding meeting of the Legislature on April 14, 2020, but have been determined by President Dr. Joe Carbone to be of sufficient importance to warrant referral between Legislative meetings, pursuant to Section 545-24 (C) of the Rules of the Monroe County Legislature.

Per President Carbone, the items will be considered for Discharge from the assigned committees and Committed to the Committee of the Whole, which will take place as part of the April 29, 2020 Special Meeting of the Monroe County Legislature.
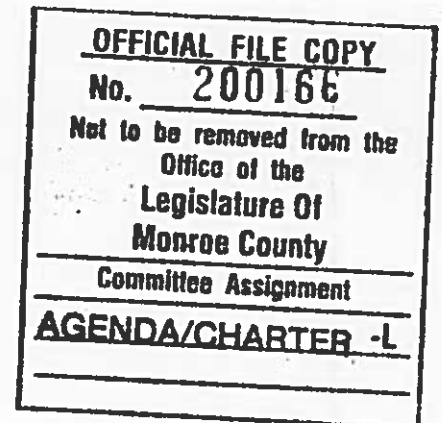
Attachments

Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

April 24, 2020

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Directing the Clerk of the Legislature to Present Referral 20-0028 Entitled "ENACTING A LOCAL LAW TO AMEND LOCAL LAW NO. 5 OF 1997, ENTITLED 'AUTHORIZING LEASE TO DEPAUL ADULT CARE COMMUNITIES, INC.'" (Intro. 42 of 2020) to the County Executive in order to Recommence the Notice Period for the Public Hearing to be Held by the County Executive

Honorable Legislators:

I recommend that Your Honorable Body direct the Clerk of the Legislature to present Referral 20-0028 Entitled "ENACTING A LOCAL LAW TO AMEND LOCAL LAW NO. 5 OF 1997, ENTITLED 'AUTHORIZING LEASE TO DEPAUL ADULT CARE COMMUNITIES, INC.'" (Intro. 42 of 2020) to the County Executive in order to recommence the notice period for the public hearing regarding Referral 20-0028 to be held by the County Executive.

Referral 20-0028 entitled "ENACTING A LOCAL LAW TO AMEND LOCAL LAW NO. 5 OF 1997, ENTITLED 'AUTHORIZING LEASE TO DEPAUL ADULT CARE COMMUNITIES, INC.'" was adopted by Your Honorable Body on March 10, 2020.

Pursuant to Section 20(5) of Municipal Home Law of the State of New York, within ten days after a local law is presented to the County Executive, the County Executive must give notice of a public hearing on the local law and hold the public hearing within twenty days from the date of presentation.

Due to the State of Emergency caused by COVID-19, the public hearing for Local Law 20-0028 could not be held within the time frame set forth in Section 20(5) of Municipal Home Law.

Pursuant to New York Executive Order No. 202.15 issued on April 9, 2020, the County Executive may now hold public hearings remotely, through use of telephone conference, video conference, and/or other similar service.

By the County Legislature's presenting Local Law 20-0028 to the County Executive, the County Executive will be able to timely publish the notification of the public hearing and hold a public hearing in accordance with Section 20(5) of Municipal Home Law and New York Executive Order No. 202.15.

The specific legislative action required is to direct the Clerk of the Legislature to present Referral 20-0028 Entitled "ENACTING A LOCAL LAW TO AMEND LOCAL LAW NO. 5 OF 1997, ENTITLED 'AUTHORIZING LEASE TO DEPAUL ADULT CARE COMMUNITIES, INC.'" (Intro. 42 of 2020) to the County Executive in order to recommence the notice period for the public hearing to be held by the County Executive.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c) and is not subject to review under the State Environmental Quality Review Act.

No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,
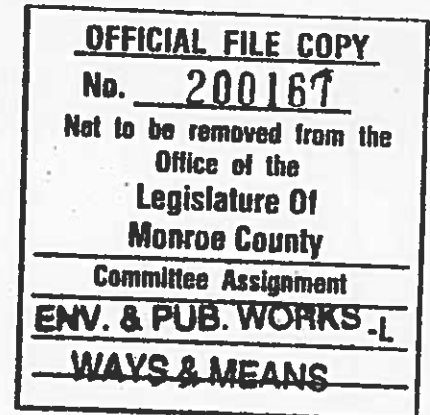
Adam J. Bello
Monroe County Executive

AJB:db

Adam J. Bello
County Executive

April 24, 2020

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Acceptance of a Grant from the Federal Aviation Administration (Coronavirus Aid, Relief, and Economic Security Act Airport Grant Program) Related to the Operation and Maintenance of the Greater Rochester International Airport

Honorable Legislators:

I recommend that Your Honorable Body accept a grant from the Federal Aviation Administration (Coronavirus Aid, Relief, and Economic Security Act Airport grant program), in the amount of $12,868,049, for payment of expenses needed to operate and maintain the Greater Rochester International Airport.

COVID-19 has significantly reduced the airport revenue generated at the Greater Rochester International Airport needed to pay operational and maintenance expenses. This grant may be used by Monroe County for any purpose for which airport revenues may be lawfully used.

The specific legislative actions required are:

1.   Authorize the County Executive, or his designee, to accept a $12,868,049 grant from, and to execute a contract and any amendments thereto with, the Federal Aviation Administration (Coronavirus Aid, Relief, and Economic Security Act Airport grant program), for payment of expenses needed to operate and maintain the Greater Rochester International Airport.

2.   Authorize the County Executive to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, and to make any necessary funding modifications within the grant guidelines to meet contractual commitments.

3. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law, and when applicable, the terms of any labor agreement affecting such positions.
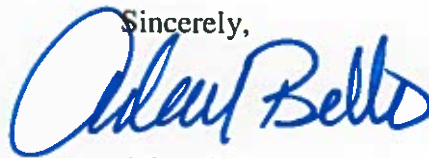
This action is a Type II Action pursuant to 6 NYCRR § 617.5(c) and is not subject to review under the State Environmental Quality Review Act.

Funding for this grant is included in the 2020 operating budget of the Monroe County Department of Aviation, Airport fund 9010, funds center 8101010000, Airport Administration; funds center 8102010000, Airport Security; funds center 8103010000, Airport Crash/Fire/Rescue; funds center 8104010000, Airport Field Operations; funds center 8105010000, Airport Custodial Operations; and funds center 8106010000, Airport Building Maintenance Operations.

This grant is 100% funded by the Federal Aviation Administration. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,

Adam J. Bello
Monroe County Executive

AJB:db