



## MONROE COUNTY

### Environment and Public Works Committee

January 22, 2024 5:15 PM

#### *AGENDA*

A. ROLL CALL

B. PUBLIC FORUM

C. APPROVAL OF MINUTES

November 27, 2023

D. NEW BUSINESS

24-0005

Enact a Local Law to Amend Local Law No. 7 of 2020 Entitled "Enacting a Local Law Authorizing a Lease of Negotiation with Federal Express Corporation for Real Property at the Greater Rochester International Airport" - County Executive Adam J. Bello

24-0006

Classification of Action and Determination of Significance Pursuant to the State Environment Quality Review Act for the Sale of County Owned Tax Foreclosure Property Located at St. Patrick Drive in the Town of Henrietta - County Executive Adam J. Bello

24-0008

Authorize Contracts with MRB Group Engineering, Architecture & Surveying, D.P.C. and Ramboll Americas Engineering Solutions, Inc. for Pump Station General Architectural and Engineering Term Services - County Executive Adam J. Bello

24-0010

Authorizes an Intermunicipal Agreement with Monroe 2-Orleans Board of Cooperative Educational Services to Provide an Annual Technical Skills Training Program - County Executive Adam J. Bello

24-0012

Authorize Monroe County to Submit Funding Applications to Federal, State, and/or Not-for-Profit Funding Assistance Programs - County Executive Adam J. Bello

24-0015

Amend Resolution 27 of 2019 to Extend the Time Period of the Grant from the United States Environmental Protection Agency for Coordination of the Rochester Embayment Area of Concern Program - County Executive Adam J. Bello

24-0017

Authorize an Intermunicipal Agreement with the City of Rochester to Provide Water Quality Monitoring for the Beach at Durand Eastman Park - County Executive Adam J. Bello

24-0034

Enact a Local Law Amending the Airline-Airport Use and Lease Agreements with American Airlines, Inc., Delta Air Lines, Inc., Federal Express Corporation, JetBlue Airways Corporation, Southwest Airlines Co., and United Airlines, Inc. for Space at the Frederick Douglass-Greater Rochester International Airport - County Executive Adam J. Bello

24-0038

Amend the 2024 Capital Budget and Bond Resolution 286 of 2021 to Provide an Increase in Funding for Rochester Pure Waters District - Genesee Valley Pump Station Project - County Executive Adam J. Bello

E. OTHER MATTERS

F. ADJOURNMENT

The next meeting of the Environment and Public Works Committee is scheduled for Monday, February 26, 2024 at 5:15 P.M.





ATTACHMENTS:

Description File Name

- ▣ R24-0005 R24-0005.pdf



# Office of the County Executive

Monroe County, New York

**Adam J. Bello**  
*County Executive*

January 5, 2024

<b>OFFICIAL FILE COPY</b>
No. <b>240005</b>
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
<b>AGENDA/CHARTER-L</b>
<b>ENV. &amp; PUB. WORKS</b>

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

**Subject:** Enact a Local Law to Amend Local Law No. 7 of 2020 Entitled "Enacting a Local Law Authorizing a Lease by Negotiation with Federal Express Corporation for Real Property at the Greater Rochester International Airport"

Honorable Legislators:

I recommend that Your Honorable Body enact a Local Law amending Local Law No. 7 of 2020, entitled "Enacting a Local Law Authorizing a Lease by Negotiation with Federal Express Corporation for Real Property at the Greater Rochester International Airport," to add an option to expand the leased premises by an additional 123,220 sq. ft. of unimproved real property with an adjusted additional rent and to amend the name of the airport in the lease to the Frederick Douglass - Greater Rochester International Airport.

The additional space will be utilized by Federal Express Corporation to operate its business.

The amendment of the lease was approved by Resolution No. 5 of 2022 by the Monroe County Airport Authority at its meeting on March 23, 2022.

**The specific legislative actions required are:**

1. Schedule and hold a public hearing on the proposed Local Law.
2. Enact a Local Law to Amend Local Law No. 7 of 2020 entitled "Enacting a Local Law Authorizing a Lease By Negotiation with Federal Express Corporation for Real Property at the Greater Rochester International Airport" to add an option to expand the leased premises by an additional 123,220 sq. ft. of unimproved real property with an adjusted additional rent and to amend the name of the airport in the lease, and any amendments thereto, to the Frederick Douglass - Greater Rochester International Airport.

This action is a Type II Action pursuant to 6 NYCRR § 617.5 (c)(32) ("license, lease and permit renewals, or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities") and is not subject to further review under the State Environmental Quality Review Act.

This lease agreement, as amended, continues to be revenue generating to the Monroe County Airport Authority, and no County support is required in the current Monroe County budget.

The records in the office of the Monroe County Treasury have indicated that neither Federal Express Corporation, nor any of its principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firm are:

Frederick W. Smith, Chairman and Chief Executive Officer  
Rajesh Subramaniam, President and Chief Operating Officer  
Michael Lenz, Executive Vice President and Chief Financial Officer  
Mark Allen, Executive Vice President, General Counsel and Secretary

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

By Legislators \_\_\_\_\_ and \_\_\_\_\_

Intro. No. \_\_\_\_

LOCAL LAW NO. \_\_ OF 2024

**AMENDING LOCAL LAW NO. 7 OF 2020 ENTITLED "ENACTING A LOCAL LAW AUTHORIZING A LEASE BY NEGOTIATION WITH FEDERAL EXPRESS CORPORATION FOR REAL PROPERTY AT THE GREATER ROCHESTER INTERNATIONAL AIRPORT"**

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. Section 1 of Local Law No. 7 of 2020 is hereby amended as follows:

The County Executive, or his designee, is hereby authorized to execute a lease agreement on behalf of the Monroe County Airport Authority, and any amendments thereto, with the Federal Express Corporation, or any subsidiary or successor, in the amount of \$130,441.28 per year for a period ten (10) years commencing on or about December 1, 2020, with the option to renew the lease agreement for two (2) additional five (5) year terms and an option to amend the lease to expand the leased premises by an additional 123,220 sq. ft. of unimproved real property with an adjusted additional rent for the additional leased premises, and to amend the name of the airport in the lease and any amendments thereto to the Frederick Douglass Greater Rochester International Airport.

Section 2. This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

File No. 24-0\_\_\_\_.LL

ADOPTION: Date: \_\_\_\_\_

Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF LOCAL LAW: \_\_\_\_\_

Added language is underlined

Deleted language is ~~stricken~~



ATTACHMENTS:

Description File Name

▣ R24-0006 R24-0006.pdf





# Office of the County Executive

Monroe County, New York

**Adam J. Bello**  
County Executive

<b>OFFICIAL FILE COPY</b>
No. <u>240006</u>
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
<b>ENV. &amp; PUB. WORKS-L</b>

January 5, 2024

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

**Subject:** Classification of Action and Determination of Significance Pursuant to the State Environmental Quality Review Act for the Sale of County Owned Tax Foreclosure Property Located at St. Patrick Drive in the Town of Henrietta

Honorable Legislators:

I recommend that Your Honorable Body determine whether the sale of County owned tax foreclosure property in the Town of Henrietta may have a significant adverse impact on the environment pursuant to the State Environmental Quality Review Act ("SEQRA"). This action is described as follows:

The proposed sale is as follows:

<u>Parcel</u>	<u>Offeror</u>	<u>Offered Amount</u>
St. Patrick Drive TA # 161.19-2-3 Town of Henrietta	Oluwasegun Modupe 131 Planters Row West Henrietta, NY 14586	\$12,000

The sale of County owned tax foreclosure property located at St. Patrick Drive, Rochester, NY 14623 in the Town of Henrietta has been preliminarily classified as an Unlisted action. The SEQRA regulations found at 6 NYCRR Part 617 requires that no agency shall carry out or approve an Action until it has complied with the requirements of SEQRA.

**The specific legislative actions required are:**

1. Determine that the sale of County owned tax foreclosure property located at St. Patrick Drive in the Town of Henrietta is an Unlisted Action.
2. Make a determination of significance regarding the sale of County owned tax foreclosure property located at St. Patrick Drive in the Town of Henrietta pursuant to 6 NYCRR § 617.7.

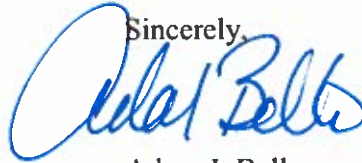
110 County Office Building • 39 West Main Street • Rochester, New York 14614

3. Authorize the County Executive, or his designee, to take such actions to comply with the requirements of the State Environmental Quality Review Act, including without limitation, the execution of documents and the filing, distribution and publication of the documents required under the State Environmental Quality Review Act, and any other actions to implement the intent of this resolution

This designation will have no impact on the revenues or expenditures of 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



ATTACHMENTS:

Description File Name

▣ R24-0008 R24-0008.pdf



*Office of the County Executive*  
Monroe County, New York

**Adam J. Bello**  
*County Executive*

January 5, 2024

<b>OFFICIAL FILE COPY</b>
No. <u>240008</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
<b>ENV. &amp; PUB. WORKS-L</b>
<b>WAYS &amp; MEANS</b>

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

**Subject:** Authorize Contracts with MRB Group Engineering, Architecture & Surveying, D.P.C. and Ramboll Americas Engineering Solutions, Inc. for Pump Station General Architectural and Engineering Term Services

Honorable Legislators:

I recommend that Your Honorable Body authorize contracts with MRB Group Engineering, Architecture & Surveying, D.P.C. and Ramboll Americas Engineering Solutions, Inc. for a total annual aggregate amount not to exceed \$500,000 for pump station general architectural and engineering term services for the Gates-Chili-Ogden Sewer District, Northwest Quadrant Pure Waters District, Irondequoit Bay South Central Pure Waters District, and the Rochester Pure Waters District (the "Districts") for the period of January 1, 2024 through December 31, 2024, with the option to renew for two (2) additional one-year extensions, with escalations for the extensions to be limited to an amount equal to the increase in the previous year's Consumer Price Index (U.S. City Average CPI-U from the Bureau of Labor Statistics).

The Districts own, operate and maintain 63 sewage pumping stations. These contracts will provide pump station engineering term services including facility evaluations, preparation of engineering reports and technical memorandums, construction cost estimating, preparation of design drawings and technical specifications, and administration and inspection for pump station improvements and associated gravity sewers serving these Districts.

A Request for Proposals was issued with MRB Group Engineering, Architecture & Surveying, D.P.C. and Ramboll Americas Engineering Solutions, Inc. rated the most qualified to provide these services.

**The specific legislative action required is** to authorize the County Executive, or his designee, to execute contracts, and any amendments thereto, with MRB Group Engineering, Architecture & Surveying, D.P.C., 145 Culver Road, Suite 160, Rochester, New York 14620 and Ramboll Americas Engineering Solutions, Inc., 400 Andrews Street, Suite 710, Rochester, New York 14604 for pump station general architectural and engineering term services for a total annual aggregate amount not to exceed \$500,000 for the period of January 1, 2024 through December 31, 2024, with the option to renew for two (2) additional one-year extensions, with escalations for the extensions to be limited to an amount equal to the increase in the previous year's Consumer Price Index (U.S. City Average CPI-U from the Bureau of Labor Statistics).

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c) (24) (“information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action”); (26) (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”); and (27) (“conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action”) and is not subject to further review under the State Quality Review Act.

Funding for these contracts, consistent with authorized uses, is included in various capital funds and in the 2024 operating budget of the Department of Environmental Services, pure waters fund 9007, funds center 8575010000, Rochester Pure Waters District Special Expenses; pure waters fund 9007, funds center 8574010000, Irondequoit Bay South Central Pure Waters District Special Expenses; pure waters fund 9007, funds center 8573010000, Northwest Quadrant Pure Waters District Special Expenses; and pure waters fund 9007, funds center 8571010000, Gates-Chili-Ogden Sewer District Special Expenses and will be requested in future years’ budgets. No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither MRB Group Engineering, Architecture & Surveying, D.P.C., nor Ramboll Americas Engineering Solutions, Inc., nor any of their principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firms are:

MRB Group Engineering, Architecture & Surveying, D.P.C.

Ryan T. Colvin, President

James J. Oberst, Executive Vice President / Chief Operating Officer

David M. Doyle, Vice President

Ramboll Americas Engineering Solutions, Inc.

Thomas Nowlan, Executive Director & Chief Executive Officer

Eric Gernant, Secretary

Edward Zawadzki, Treasurer

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



ATTACHMENTS:

Description File Name

▣ R24-0010 R24-0010.pdf



# Office of the County Executive

Monroe County, New York

**Adam J. Bello**  
*County Executive*

January 5, 2024

<b>OFFICIAL FILE COPY</b>
No. <u>240010</u>
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
<b>INTRGOV REL. -L</b>
<b>ENV. &amp; PUB. WORKS</b>
<b>WAYS &amp; MEANS</b>

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

**Subject:** Authorize an Intermunicipal Agreement with Monroe 2-Orleans Board of Cooperative Educational Services to Provide an Annual Technical Skills Training Program

Honorable Legislators:

I recommend that Your Honorable Body authorize an intermunicipal agreement with Monroe 2-Orleans Board of Cooperative Educational Services in an annual amount not to exceed \$75,000 to provide an annual technical skills training program to the Monroe County Department of Environmental Services ("DES") for the period of January 1, 2024 through December 31, 2024, with the option to renew for four (4) additional one-year extensions in an annual amount not to exceed \$75,000.

DES is responsible for operating and maintaining Pure Waters' wastewater conveyance and treatment infrastructure and fifteen County facilities comprising nearly three (3) million square feet of space. Wastewater infrastructure includes two wastewater treatment plants, 1,350 miles of collector sewers, regional interceptors, 30 miles of deep-rock tunnels and 63 pump stations. Major County facilities include the County Office Building, CityPlace, the Hall of Justice, the Public Safety Building and 111 Westfall Road, among others. Training and development of DES employees responsible for these assets results in improved competency, reduction of down-time, improved safety, and more cost-effective operations.

**The specific legislative action required is** to authorize the County Executive, or his designee, to execute an intermunicipal agreement, and any amendments thereto, with Monroe 2-Orleans Board of Cooperative Educational Services, 160 Wallace Way, Bldg. 9, Rochester, New York 14624 in an annual amount not to exceed \$75,000 to provide an annual technical skills training program to the Monroe County Department of Environmental Services for the period of January 1, 2024 through December 31, 2024, with the option to renew for four (4) additional one-year extensions in an annual amount not to exceed \$75,000.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”) and is not subject to further review under the State Quality Review Act.

Funding for this agreement is included in the 2024 operating budget of the Department of Environmental Services, pure waters fund 9007, funds center 8572010000, Pure Waters Administration and internal services fund 9020, funds center 8670010000, Maintenance and Construction, and will be requested in future years’ budgets. 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





ATTACHMENTS:

Description File Name

▣ R24-0012 R24-0012.pdf



# Office of the County Executive

Monroe County, New York

**Adam J. Bello**  
County Executive

January 5, 2024

<b>OFFICIAL FILE COPY</b>
No. <u>240012</u>
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
<b>ENV. &amp; PUB. WORKS-L</b>

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

**Subject:** Authorize Monroe County to Submit Funding Applications to Federal, State, and/or Not-for-Profit Funding Assistance Programs

Honorable Legislators:

I recommend that Your Honorable Body authorize Monroe County to submit funding applications to federal, state, and/or not-for-profit corporations, including but not limited to the annual Consolidated Funding Application, the New York State Environmental Facilities Corporation, New York State Empire State Development, the United States Environmental Protection Agency, the United States Department of Housing and Urban Development, and other state and federal agencies and not-for-profit corporations for various projects in calendar year 2024.

Projects that qualify and are selected for funding will be referred to Your Honorable Body for approval.

**The specific legislative action required** is to authorize the County Executive, or his designee, to submit funding applications to federal, state, and/or not-for-profit corporations for various projects in calendar year 2024.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(27) ("conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action") and is not subject to further review under the State Environmental Quality Review Act.

No 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



ATTACHMENTS:

Description File Name

▣ R24-0015 R24-0015.pdf



# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

OFFICIAL FILE COPY
No. <u>240015</u>
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
<b>ENV. &amp; PUB. WORKS-L</b>
<b>WAYS &amp; MEANS</b>

January 5, 2024

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

Subject: Amend Resolution 27 of 2019 to Extend the Time Period of the Grant from the United States Environmental Protection Agency for Coordination of the Rochester Embayment Area of Concern Program

Honorable Legislators:

I recommend that Your Honorable Body amend Resolution 27 of 2019 to extend the time period of the grant from the United States Environmental Protection Agency for Coordination of the Rochester Embayment Area of Concern Program through March 31, 2025.

The purpose of this grant is to support the coordination and implementation of the Rochester Embayment Remedial Action Plan. Monroe County, in partnership with the New York State Department of Environmental Conservation, developed the Stage I and Stage II Remedial Action Plans ("RAP") for the Rochester Embayment of Lake Ontario. Key components of this project include: tracking and documenting remedial activities and progress towards delisting from the United States Environmental Protection Agency ("EPA") list of Areas of Concern designated under the 1987 Great Lakes Water Quality Agreement by means of semi-annual reports; coordinating RAP public participation and the integration of the RAP process with associated groups and participating in the review of the monitoring activities underway for the completed management actions.

Significant supporting work related to the grant has been completed, including remedial actions to successfully remove all 14 Beneficial Use Impairments ("BUIs") as originally identified within the Rochester Embayment Area of Concern. However, Monroe County Department of Public Health has requested and been granted additional time from the EPA to complete all of the steps required to delist the Rochester Embayment as an Area of Concern.

**The specific legislative action required is to amend Resolution 27 of 2019 to extend the time period of the grant from the United States Environmental Protection Agency for Coordination of the Rochester Embayment Area of Concern Program through March 31, 2025**

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”) and is not subject to further review under the State Environmental Quality Review Act.

This grant is 100% funded by the United States Environmental Protection Agency. No 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



ATTACHMENTS:

Description File Name

▣ R24-0017 R24-0017.pdf



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 5, 2024

OFFICIAL FILE COPY
No. 240017
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
INTRGOV REL -L
ENV. & PUB. WORKS
WAYS & MEANS

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

Subject: Authorize an Intermunicipal Agreement with the City of Rochester to Provide Water Quality Monitoring for the Beach at Durand Eastman Park

Honorable Legislators:

I recommend that Your Honorable Body authorize an intermunicipal agreement with the City of Rochester in an amount not to exceed \$10,000 for Monroe County to provide water quality monitoring for the beach at Durand Eastman Park for the period of January 1, 2024 through December 31, 2024, with two (2) one-year options to renew at Monroe County's discretion in an amount not to exceed \$10,000 in each renewal year.

Under the terms of the intermunicipal agreement, Monroe County will provide water quality sample collection, analytical services, and interpretation of results. The sampling results from the previous seasons will be used to refine an operational model similar to the one employed at Ontario Beach. The final parameters for the model shall be determined by the Monroe County Department of Public Health and will be used to make decisions on whether to open or close the beach for water quality reasons at Durand Eastman Park. Monroe County will be reimbursed by the City of Rochester on a fee-for-service basis.

The specific legislative action required is to authorize the County Executive, or his designee, to execute an intermunicipal agreement, and any amendments thereto, with the City of Rochester for Monroe County to provide water quality monitoring for the beach at Durand Eastman Park in an amount not to exceed \$10,000 for the period of January 1, 2024 through December 31, 2024, with two (2) one-year options to renew at Monroe County's discretion in an amount not to exceed \$10,000 in each renewal year.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review Act.

This agreement is revenue generating. 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 Bello
Adam J. Bello
Monroe County Executive

AJB:db

110 County Office Building • 39 West Main Street • Rochester, New York 14614



ATTACHMENTS:

Description File Name

▣ R24-0034 R24-0034.pdf





# Office of the County Executive

Monroe County, New York

**Adam J. Bello**  
*County Executive*

January 5, 2024

<b>OFFICIAL FILE COPY</b>
No. <u>240034</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
<b>AGENDA/CHARTER - L</b>
<b>ENV. &amp; PUB. WORKS</b>

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

**Subject:** Enact a Local Law Amending the Airline-Airport Use and Lease Agreements with American Airlines, Inc., Delta Air Lines, Inc., Federal Express Corporation, JetBlue Airways Corporation, Southwest Airlines Co., and United Airlines, Inc. for Space at the Frederick Douglass-Greater Rochester International Airport

Honorable Legislators:

I recommend that Your Honorable Body enact a Local Law amending the Airline-Airport Use and Lease Agreements with American Airlines, Inc., Delta Air Lines, Inc., Federal Express Corporation, JetBlue Airways Corporation, Southwest Airlines Co., and United Airlines, Inc.

Except for the name, address and contact person, all the terms and conditions of each of the Airline-Airport Use and Lease Agreements and the amendment thereto are the same.

The amendment of the Airline-Airport Use and Lease Agreements was approved by Resolution No. 9 of 2023 by the Monroe County Airport Authority at its meeting on May 17, 2023.

American Airlines, Inc. Delta Air Lines, Inc., Federal Express Corporation, JetBlue Airways Corporation, Southwest Airlines Co., and United Airlines, Inc. are publicly traded companies or owned by a publically traded company.

**The specific legislative actions required are:**

1. Schedule and hold a public hearing on the proposed Local Law.
2. Authorize the County Executive, or his designee, to enter into an Airline-Airport Use and Lease Agreement Amendments, and any amendments thereto, on behalf of the Monroe County Airport Authority, with American Airlines, Inc. Delta Air Lines, Inc., Federal Express Corporation, JetBlue Airways Corporation, Southwest Airlines Co., and United Airlines, Inc., for space at the Frederick Douglass-Greater Rochester International Airport, with the following amended terms and conditions to the existing Airline-Airport Use and Lease Agreements (the "Agreements") between the parties for the period from January 1, 2019 through December 31, 2023:
  - a. Update the name of the airport to the Frederick Douglass-Greater Rochester International Airport throughout the Agreements.
  - b. Extend the Term to December 31, 2028, and replace December 31, 2023 with December 31, 2028 throughout the Agreements.
  - c. Amend the definition "Net Airfield Requirement," replace the reference to "Exhibit 'G'." with "Exhibit 'G-4'." in Article I.

110 County Office Building • 39 West Main Street • Rochester, New York 14614

- d. Amend the definition “Net Terminal Requirement,” replace the reference to “Exhibit ‘G’.” with “Exhibit ‘G-5’.” in Article I.
- e. Amend Article VIII by (i.) Deleting the phrase, “Non-Signatory Airline” Section 8.02.B.2; (ii.) Replace Section 8.06 with updated Revenue Sharing agreed to by the parties; (iii.) Replace Section 8.09 with updated Non-Signatory Airline Landing Fees and Terminal Fees agreed to by the parties; (iv.) Replace Exhibits “E” and “G” with new Exhibit “E” and “G” as required by the replacements.
- f. Replace Article XIX with current Federal Aviation Administration update government inclusion language regarding (i.) Government Agreements; (ii.) Emergency Clause; (iii.) Human Rights Law; (iv.) General Civil Rights Provisions; (v.) Compliance with Nondiscrimination Requirements; (vi.) Title VI Clauses for Transfer of Real Property Acquired or Improved Under the Activity, Facility, or Program; (vii.) Title VI Clauses for Construction/Use/Access to Real Property Acquired Under the Activity, Facility or Program; (viii.) Title VI List of Pertinent Nondiscrimination Acts and Authorities; (ix.) Additional Federal Grant Agreement Covenants; (x.) Americans with Disabilities Act and Air Carrier Access Act; and (xi.) Security.

This action is a Type II Action pursuant to 6 NYCRR § 617.5 (c)(32) (“license, lease and permit renewals, or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities”) and is not subject to further review under the State Environmental Quality Review Act.

This Airline-Airport Use and Lease Agreements, as amended, continue to be revenue generating to the Monroe County Airport Authority, and no County support is required in the current Monroe County budget.

The records in the office of the Monroe County Treasury have indicated that neither American Airlines, Inc. Delta Air Lines, Inc., Federal Express Corporation, JetBlue Airways Corporation, Southwest Airlines Co., and United Airlines, Inc. nor any of their principal officers, owe any delinquent Monroe County property taxes. The principal officers of each of the Airlines are:

American Airlines, Inc.

Robert Isom, Chief Executive Officer

Devon May, Chief Financial Officer

Priya Aiyar, Chief Legal Officer

Delta Air Lines, Inc.

Ed Bastian, Chief Executive Officer & Director

Glen Hauenstein, President

Dan Janki, Executive Vice President-Chief of Operations

John E. Laughter, Chief Operating Officer & Executive Vice President

Federal Express Corporation

Frederick W. Smith, Chairman & Chief Executive Officer

Rajesh Subramaniam, President & Chief Operating Officer

Michael Lenz, Executive Vice President and Chief Financial Officer

Mark Allen, Executive Vice President, General Counsel & Secretary

JetBlue Airways Corporation

Robin Hayes, Chief Executive Officer

Joanna Geraghty, President & Chief Operating Officer

Ursula Hurley, Chief Financial Officer

Al Spencer, Vice President – Chief Accounting Officer

Joanna Geraghty, President and Chief Operating Officer

Southwest Airlines Co.

Robert E. Jordan, President & Chief Executive Officer  
Andrew Watterson, Chief Operating Officer  
Ryan Green, Executive Vice President & Chief Commercial Officer  
Gary Kelly, Chairman

United Airlines, Inc.

Brett J. Hart President  
J. Scott Kirby Chief Executive Officer & Director  
Torbjorn J. Enqvist Chief Operations Officer & Executive VP

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

By Legislators \_\_\_\_\_ and \_\_\_\_\_

Intro. No. \_\_\_\_

LOCAL LAW NO. \_\_ OF 2024

**ENACTING LOCAL LAW ENTITLED “AMENDING THE AIRLINE-AIRPORT USE AND LEASE AGREEMENTS WITH AMERICAN AIRLINES, INC., DELTA AIR LINES, INC., FEDERAL EXPRESS CORPORATION, JETBLUE AIRWAYS CORPORATION, SOUTHWEST AIRLINES CO., AND UNITED AIRLINES, INC. FOR SPACE AT THE FREDERICK DOUGLASS-GREATER ROCHESTER INTERNATIONAL AIRPORT”**

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The County Executive, or his designee, is hereby authorized to execute amendments to the Airline Airport Use and Lease Agreements, and any amendments thereto, on behalf of the Monroe County Airport Authority, with American Airlines, Inc., Delta Air Lines, Inc., Federal Express Corporation, JetBlue Airways Corporation, Southwest Airlines Co., and United Airlines, Inc., for space at the Frederick Douglass-Greater Rochester International Airport, with the following amended terms and conditions to the existing Airline-Airport Use and Lease Agreements (the “Agreements”) between the parties for the period from January 1, 2019 through December 31, 2023:

a. Update the name of the airport to the Frederick Douglass-Greater Rochester International Airport throughout the Agreements.

b. Extend the Term to December 31, 2028, and replace December 31, 2023 with December 31, 2028 throughout the Agreements.

c. Amend the definition “Net Airfield Requirement,” replace the reference to “Exhibit ‘G.’” with “Exhibit ‘G-4.’” in Article I.

d. Amend the definition “Net Terminal Requirement,” replace the reference to “Exhibit ‘G.’” with “Exhibit ‘G-5.’” in Article I.

e. Amend Article VIII by (i.) Deleting the phrase, “Non-Signatory Airline” Section 8.02.B.2; (ii.) Replace Section 8.06 with updated Revenue Sharing agreed to by the parties; (iii.) Replace Section 8.09 with updated Non-Signatory Airline Landing Fees and Terminal Fees agreed to by the parties; (iv.) Replace Exhibits “E” and “G” with new Exhibit “E” and “G” as required by the replacements.

f. Replace Article XIX with current Federal Aviation Administration update government inclusion language regarding (i.) Government Agreements; (ii.) Emergency Clause; (iii.) Human Rights Law; (iv.) General Civil Rights Provisions; (v.) Compliance with Nondiscrimination Requirements; (vi.) Title VI Clauses for Transfer of Real Property Acquired or Improved Under the Activity, Facility, or Program; (vii.) Title VI Clauses for Construction/Use/Access to Real Property Acquired Under the Activity, Facility or Program; (viii.) Title VI List of Pertinent Nondiscrimination Acts and Authorities; (ix.) Additional Federal Grant Agreement Covenants; (x.) Americans with Disabilities Act and Air Carrier Access Act; and (xi.) Security.

Section 2. This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

File No. 24-\_\_\_\_\_.LL

ADOPTION: Date: \_\_\_\_\_

Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF LOCAL LAW: \_\_\_\_\_



ATTACHMENTS:

Description File Name

▣ R24-0038 R24-0038.pdf



# Office of the County Executive

Monroe County, New York

**Adam J. Bello**  
*County Executive*

January 5, 2024

<b>OFFICIAL FILE COPY</b>
No. <u>240038</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
<b>ENV. &amp; PUB. WORKS-L</b>
<b>WAYS &amp; MEANS</b>

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

**Subject:** Amend the 2024 Capital Budget and Bond Resolution 286 of 2021 to Provide an Increase in Funding for Rochester Pure Waters District – Genesee Valley Pump Station Project

**Honorable Legislators:**

I recommend that Your Honorable Body amend the 2024 Capital Budget and Bond Resolution 286 of 2021 to provide an increase in funding for the Genesee Valley Pump Station Project.

The Genesee Valley Pump Station Project will provide relief to the Rochester Pure Waters District's (the "District") Wilson Boulevard trunk sewer and restore capacity in the District's collection system. Additionally, this project will allow the University of Rochester ("UofR") to expand its emergency medical facilities and permit future development in the Wilson Boulevard trunk sewer's sewer shed south of the UofR Medical Center. The improvements will include a new 3.5 million gallon per day sanitary pump station and force main consisting of a diversion and wet will structure with submersible pumps, valve and meter vaults, a small building to house electrical, instrumentation, and control components, and a force main approximately 1,500 linear feet that will cross under the Genesee River roughly 900 feet south of Elmwood Avenue. Through Resolution 294 of 2021, Your Honorable Body approved contracts with MRB Group for professional engineering services and with the UofR for financial participation in and the conveyance of interest in real property for the Project. Through Resolutions 159 and 160 of 2023, Your Honorable Body adopted Home Rule Messages for New York State Senate and Assembly Bills to allow the District to acquire permanent easements from the City of Rochester through Genesee Valley Park.

The estimated cost increase resulted from significant escalation of construction pricing since the project was originally estimated in 2021 and planned for construction commencing in 2022. The project was delayed to prolonged effort to acquire easements across Genesee Valley Park. Since design commenced in 2022, the pump station location on the UofR has been relocated from its original proposed location due to City of Rochester requirements and negotiations. The shifting of the pump station location resulted in a deeper excavation for the pump station structures as well as the relocation of existing underground and overhead utilities in conflict with the relocated pump station structures adding costs unforeseen in 2021.

The estimated cost of the improvements is \$9,500,000 with \$5,500,000 previously authorized by Your Honorable Body through Resolution 285 of 2021. The actual debt service obligation for the revised cost of the project, \$9,500,000, as projected in future years could potentially result in an increase of \$5.85 to the future annual charges of the average District ratepayer. However, the actual impact is typically reduced through the retirement of previous debt and other offsets to the District's capital charge levy. Based on an average annual water consumption of 60,000 gallons, the total annual charge for both operation and maintenance and capital to the typical District ratepayer in 2023 is \$254.89.

**The specific legislative actions required are:**

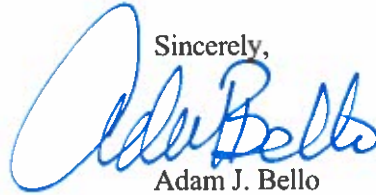
1. Amend the 2024 Capital Budget to increase funding for the "Genesee Valley Pump Station" project by \$4,000,000, from \$5,500,000 to \$9,500,000 for a total authorization of \$9,500,000.
2. Amend Bond Resolution 286 of 2021 to increase the total estimated project cost and financing for the "Genesee Valley Pump Station," capital fund 2009 by \$4,000,000, from \$5,500,000 to \$9,500,000, for a total project authorization of \$9,500,000, subject to the approval of the State Comptroller, if required.

This action is a Type I Action under the New York State Environmental Quality Review Act ("SEQRA"). Pursuant to Resolution 292 of 2021, the Monroe County Legislature issued a Negative Declaration for this action. No further action under SEQRA is required.

Funding for this project, consistent with authorized uses, will be available in capital fund 2009 and any capital fund(s) created for the same intended purpose. The local funding for this project will ultimately be provided by Rochester Pure Waters District user fees. 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