



## MONROE COUNTY

### Agenda/Charter Committee

January 22, 2024 5:00 PM

### *AGENDA*

A. ROLL CALL

B. PUBLIC FORUM

C. APPROVAL OF MINUTES

October 23, 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 by Negotiation with Federal Express Corporation for Real Property at the Greater Rochester International Airport" - 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

E. OTHER MATTERS

F. ADJOURNMENT

The next meeting of the Agenda Charter Committee is scheduled for Monday, February 26, 2024 at 5:00 P.M.



ATTACHMENTS:

Description File Name

- ▣ October 24, 2023 10.24.23\_Agenda\_Charter\_Draft\_Minutes.pdf

Summary of Minutes  
AGENDA/CHARTER COMMITTEE  
October 24, 2023  
5:10 p.m.

Chairman McCabe called the meeting to order at 5:24 p.m.

MEMBERS PRESENT: Sean McCabe (Chair), Steve Brew (Vice Chair), \*Kathleen A. Taylor, Rachel Barnhart (RMM), Dave Long

*\*Note: Member Participated via Video Conference*

OTHER MEMBERS PRESENT: Robert Colby, Richard B. Milne, Paul Dondorfer, Frank X. Allkofer, Mark Johns, Jackie Smith, Tracy DiFlorio, Sean M. Delehanty, Kirk Morris, Carolyn Delvecchio Hoffman, Susan Hughes-Smith, Howard Maffucci, Mike Yudelson, Roman Misula, William Burgess

ADMINISTRATION PRESENT: John Bringewatt (County Attorney), Robert Franklin (CFO), Laura Smith (Chief Deputy County Attorney), Adrienne Green (Staff Assistant), Michael Garland (DES Director), Sean Murphy (DES Deputy Director), Gary Walker (Communications Director), Richard Tantalo (Public Safety Director), Tim Henry (Public Safety Deputy Director), Denise Read (DHS)

PUBLIC FORUM: There were no speakers.

APPROVAL OF MINUTES: The minutes of August 21, 2023 were approved as submitted.

NEW BUSINESS:

**23-0326 -** Enact a Local Law Entitled “Uniform Code Enforcement – County Executive Adam J. Bello  
MOVED by Legislator Brew, SECONDED by Legislator Long.  
ADOPTED: 5-0

**23-0272 -** Authorize the Creation of the Monroe County Land Bank – As a Matter of Importance – County Executive Adam J. Bello, President Sabrina LaMar, Majority Leader Steve Brew, Minority Leader Yversha Roman, County Legislators Blake Keller, Jackie Smith, Tracy DiFlorio, Frank X. Allkofer, Richard B. Milne, Sean McCabe, Kirk Morris, Mark Johns, Paul Dondorfer, Howard Maffucci, Sean M. Delehanty, Michael Yudelson, Susan Hughes-Smith, George Hebert, Dave Long, Roman Misula, John B. Baynes, Kathleen Taylor, Robert Colby, Rachel Barnhart, Mercedes Vazquez Simmons, Linda Hasman, Albert Blankley, Carolyn Delvecchio Hoffman, Ricky Frazier, William Burgess  
MOVED by Legislator Brew, SECONDED by Legislator Barnhart.  
ADOPTED: 5-0

OTHER MATTERS

ADJOURNMENT:

There being no other matters, Chairman McCabe adjourned the meeting at 5:32 p.m.

The next Agenda/Charter Committee meeting is scheduled for **Monday, November 27, 2023 at 5:00 p.m.**

Respectfully Submitted,  
David Grant  
Clerk of the Legislature



ATTACHMENTS:

Description File Name

▣ Referral 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<br>Office of the<br>Legislature of<br>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.

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

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

▣ Referral 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<br>Office of the<br>Legislature Of<br>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: \_\_\_\_\_