

53197

DATE: November 4, 2016

TO: Honorable Board of Acquisition and Contract

FROM: Vincent F. Kopicki, P.E.
Commissioner of Public Works and Transportation

Adam Rodriguez
Director of Real Estate

RE: Amending a resolution that authorized the County of Westchester to enter into a lease agreement with EJM Building Services, LLC for the use of the premises known as Hangar 26 at the Westchester County Airport, in order to change the name of the lessee to NetJets Services, Inc. (Lease Agreement No. WCA 15007)

By a resolution approved on September 3, 2015 (the "Original Resolution"), your Honorable Board authorized the County of Westchester (the "County") to enter into a lease agreement with EJM Building Services, LLC ("EJM") for the use of the premises known as Hangar 26 at the Westchester County Airport, on the various terms and conditions specified in the Original Resolution (the "Lease"). The Lease has not yet been executed.

After your Honorable Board approved the Original Resolution, EJM and the County entered into further negotiations regarding various precise terms of the Lease. Those negotiations involved personnel from NetJets, Inc., which is the parent company of EJM. During the negotiations, the personnel from NetJets, Inc. determined that they would prefer to have the lessee under the Lease be a different one of its subsidiaries, named NetJets Services, Inc., and informed the County of this preference. The County has no objection to changing the lessee under the Lease to NetJets Services, Inc., in accordance with the preference of NetJets, Inc.

Therefore, the County respectfully requests that your Honorable Board amend the Original Resolution by modifying its first and fifth "RESOLVED" clauses to specify NetJets Services, Inc. as the lessee, rather than EJM.

Except as described above, all terms and conditions of the Original Resolution shall remain in full force and effect.

I respectfully recommend the adoption of the attached resolution.

VFK/AR/bdm/nm

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation and the Director of Real Estate, be it hereby

RESOLVED, that the resolution approved on September 3, 2015, (the “Original Resolution”) which authorized the County of Westchester (the “County”) to enter into a lease agreement with EJM Building Services, LLC (“EJM”) for the use of the premises known as Hangar 26 at the Westchester County Airport, is hereby amended in order to change the name of the lessee from EJM Building Services, LLC to NetJets Services, Inc. by making the following modifications:

- (a) Replacing the text “EJM Building Services, LLC (“EJM”)” in the first “RESOLVED” clause with the text “NetJets Services, Inc. (“NetJets”)”; and
- (b) Replacing both the one (1) use of “EJM” in the first “RESOLVED” clause and the two (2) uses of “EJM” in the fifth “RESOLVED” clause with the text “NetJets”

; and be it further

RESOLVED, that except as specifically amended hereby, all terms and conditions of the Original Resolution shall remain in full force and effect; and be it further

RESOLVED, that the County Executive or his duly authorized designee is empowered to execute all documents and take all actions necessary to effect the purpose of this resolution.

Lease Agreement No. WCA 15007

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Revenue	Trust Account	Dollars
						N/A

Budget Funding Year(s): N/A Start Date: 01/01/2017 End Date: 12/31/2021
 (must match resolution)

Funding Source	Tax Dollars	<u>N/A</u>
	State Aid	_____
\$ <u>N/A</u>	Federal Aid	_____
(must match resolution)	Other	_____