Motion By: _____
Seconded By: _____

RESOLUTION
(Del Monte Development LLC Project Modification)
OSC Code 2602-24-001B

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's Offices located at 50 West Main Street, Rochester, New York 14614, on October 20, 2026, at 12:00 p.m.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE EXTENSION OF THE SALES TAX EXEMPTION BENEFIT GRANTED TO DEL MONTE DEVELOPMENT LLC (THE "COMPANY") THROUGH DECEMBER 31, 2027; AND THE EXECUTION OF RELATED DOCUMENTS.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, by Resolution duly adopted on May 21, 2024, the Agency appointed **DEL MONTE DEVELOPMENT LLC**, a New York limited liability company for itself or a related entity formed or to be formed (collectively, the "Company") requested the Agency to assist with a certain Project (the "Project"), consisting of: (A) the acquisition of a leasehold interest in a portion of an approximately 11.74-acre parcel of land located at 460 East Henrietta Road in the City of Rochester, New York 14620 and all other lands in the City of Rochester where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land"); (B) the construction thereon of an approximately 114,000 square-foot, 5-story hotel (the "Improvements") comprised of 115 guest rooms which will be managed by AC Hotels by Marriott and 76 guest rooms which will be managed by Element by Westin, together with an additional 140 parking spaces; and (C) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and related personal property (the "Equipment" and, together with the Land and the Improvements, the "Facility"); and

WHEREAS, the Agency initially appointed the Company as its true and lawful agent to make purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax (the "Sales and Use Tax Exemption Benefits") through December 31, 2026;

WHEREAS, pursuant to a Project Modification Request, dated September 16, 2026, the Company has requested that the Agency grant an extension to the Sales and Use Tax Benefits through December 31, 2027; and

WHEREAS, the Agency desires to adopt a resolution authorizing (i) the extension in Sales and Use Tax Exemption Benefits; and (ii) the execution and delivery of any documents necessary and incidental thereto.

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency as follows:

Section 1. Based upon the representation and warranties made by the Company in its request, the Agency hereby authorizes and approves the Company, as its agent, to continue to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax through **December 31, 2027**. The Agency agrees to consider any requests by the Company for another extension or an increase to the amount of Sales and Use Tax Exemption Benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services.

Section 2. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any agreements, documents or certificates necessary and incidental to providing the Company with the Sales and Use Tax Exemption Benefits and necessary to effectuate the above-described changes with respect to the Facility.

Section 3. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of such Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 4. This resolution shall take effect immediately.

[Remainder of Page Intentionally Left Blank]

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	Yea	***Nay***	***Absent***	***Abstain***
Lisa Bolzner				
Rhett King				
Norman Jones				
Raymond A. Ryerse Jr.				
Brian Hickey				
Miguel Velázquez				
Truman Tolefree				

The Resolutions were thereupon duly adopted.

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on October 20, 2026, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 20th day of October, 2026.

_____
Ana J. Liss, Executive Director

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

PROJECT MODIFICATION REQUEST

If you have any questions or need assistance, please call 585.753.2000.

Applicant: DelMonte Development LLC (CityGate Hotel LLC)

Project Address: 470 East Henrietta Rd. Rochester, NY 14620

Contact Name: Cynthia Cruz

Contact Company: DelMonte Hotel Group

Contact Address: 909 Linden Ave. Rochester, NY 14625

Contact Email: ccruz@delmontehotels.com Contact Phone: 585-748-2102

Employment in Monroe County: N/A (Full Time) _____ (Part Time) _____ (As of Date)

Modification Requested: Check all that apply. (Attach additional page if necessary). Legal fees apply.

***A substantial change in project costs or scope may require a new application. ***

☐ **Increase in Project Costs:** Must complete page 2. (If there is a significant change in Project Scope, an application will be required.)

Assistance Requested: Check all that apply.

☐ Property Tax Abatement ☐ Mortgage Tax Exemption ☐ Sales Tax Exemption

Project Cost Information: $ _____ (Original Project Cost) $ _____ (Increase in Project Costs) $ 0 (New Project Costs)

☑ **Extend or Renew Sales Tax Exemption:** (If exemption date has expired, a $350 fee applies.)

12/31/2026 (Current Expiration Date) 04/30/2027 (Requested Expiration Date) $1,249,804.32 (Amount of Exemptions Taken to Date)

Reason for Extension:

The project is currently slated for completion in January 2027. We expect final invoices to be received in the months following completion. Therefore, we are requesting an extension to allow sufficient time for all outstanding invoices to be processed and paid.

☐ **New Tenant:** Include name, business description , and square feet to be occupied.

Applicant hereby represents that (i) it is not in default under any documents executed in connection with the Project being modified; (ii) Applicant will pay all applicable fees of the Agency and its counsel in connection with the modification of the Project.

Signed: _____ Date: 09/16/2026

Print Name and Title: Cynthia Cruz, Director of Acquisitions and Development

Staff Use Only: 2/20

Date Received 9/17/26 Date of Original Approval: 5/21/24 New Code 2602 24 001 B