

**PROPOSED ORDINANCE NO. 17 - 2018**

**AUTHORIZING THE COUNTY EXECUTIVE ON BEHALF OF THE COUNTY OF NASSAU TO EXECUTE AN AMENDMENT TO AMENDED AND RESTATED COLISEUM LEASE, BETWEEN THE COUNTY OF NASSAU, AS LANDLORD, AND NASSAU EVENTS CENTER, LLC, AS TENANT, OF CERTAIN PREMISES LOCATED IN UNIONDALE, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, STATE OF NEW YORK, SAID PROPERTY KNOWN AS SECTION 44, BLOCK F, LOTS 351 AND 410 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH.**

WHEREAS, pursuant to Ordinance No. 134-2013 the County of Nassau (the “County”) leases to Nassau Events Center, LLC (“Tenant”) the above-described property (hereinafter, the “Premises”) pursuant to a Lease Agreement originally made between County of Nassau, as landlord, and Nassau Events Center, LLC, as tenant, executed by the County as of October 30, 2013, as amended pursuant to Ordinance No. 32-2015 by that certain First Amendment to Lease dated as of April 27, 2015, and as further amended pursuant to Ordinance No. 125-A-2015 by that certain Second Amendment to Lease dated as of October 16, 2015 (collectively, the “Lease”);

WHEREAS, pursuant to the terms of the Lease, the County severed the Lease into two (2) separate leases for portions of the Premises: (i) an Amended and Restated Coliseum Lease dated as of July 30, 2015 (the “Amended and Restated Coliseum Lease”) by and between the County and Nassau Events Center, LLC; and (ii) and an Amended and Restated Plaza Lease dated as of July 30, 2015 by and between the County and NEC Plaza, LLC;

WHEREAS, the County and Tenant desire to enter into an amendment to the Amended and Restated Coliseum Lease, such amendment entitled, “First Amendment to Amended and Restated Coliseum Lease” (the “Amendment”), to facilitate the return of the New York Islanders NHL hockey team to the NYCB LIVE Nassau Veterans Memorial Coliseum (the “Coliseum”) by modifying (i) the AHL Team requirement and (ii) the Enhanced Minimum Rent provisions; all as is set forth in the Amendment, a copy of which is on file in the office of the Clerk of the Nassau County Legislature; and

WHEREAS, as a result of the Amendment, there is no change to the Legislature’s SEQRA review and Determination of Non-Significance made in Ordinance No. 134-2013; now, therefore,

BE IT ORDAINED BY THE LEGISLATURE OF THE COUNTY OF NASSAU AS FOLLOWS:

1. That the County Executive is hereby authorized to execute, on behalf of the County of Nassau, the Amendment, and to execute any and all other instruments and to take such other action as is necessary to effectuate and carry out the purposes of the Amendment.

2. This ordinance shall take effect immediately.