

PROPOSED ORDINANCE NO. 163 - 2017

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 415 AND 351 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH TO CONSUMMATE THE LEASE.

WHEREAS, pursuant to Ordinance No. 134-2013 the County of Nassau (the “County”) leased to Nassau Events Center, LLC (“Tenant”) the 77-acre Coliseum site in Uniondale pursuant to a Lease Agreement originally made between County of Nassau, as landlord, and Nassau Events Center, LLC, as tenant, executed by the County as of October 30, 2013, as amended pursuant to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 77-acre Coliseum site: (i) an Amended and Restated Coliseum Lease dated as of July 30, 2015 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 amend the Amended and Restated Coliseum Lease to (i) address the AHL Team requirement in the Amended and Restated

Coliseum Lease and (ii) address a parking garage to be built on that portion of the Coliseum site leased to Nassau Events Center, LLC under the Amended and Restated Coliseum Lease and referenced in the heading above; all as is set forth in that certain First Amendment to Amended and Restated Coliseum Lease (the “Amendment”) by and between the County and Tenant, 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.

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 the terms of the Amended and Restated Coliseum Lease and to carry out the purposes of the Amendment.

2. This ordinance shall take effect immediately.

