

## **RESOLUTION NO. 142**

### **AMENDING RESOLUTION NO. 323 FOR 2019 REGARDING OPERATION AND MANAGEMENT SERVICES FOR THE MVP ARENA**

Introduced: 5/9/22

By Public Works Committee:

WHEREAS, By Resolution No. 323 for 2019, this Honorable Body authorized an agreement with Spectator Management Group (SMG) for the operation and management of the MVP Arena (previously known as the Times Union Center) commencing on January 1, 2019 and ending December 31, 2025 with one six-year option to renew to be exercised by July 15, 2024 in accordance with the terms set forth therein, and

WHEREAS, In January 2020 all operations at the MVP Arena had to be shut down due to the pandemic and SMG lost all ability to earn management fees during 2020 and 2021, and for that reason SMG and Albany County are seeking to amend the original term of the agreement as well as the mutual option to renew to allow SMG the opportunity to make up for lost revenues, and

WHEREAS, The General Manager of the MVP Arena has requested an amendment to the aforementioned agreement with Spectator Management Group SMG for the operation and management of the MVP Arena to indicate an ending date of December 31, 2027 rather than December 31 2025, and

WHEREAS, The Albany County Purchasing Agent has indicated that, due to the unique nature of the agreement, the procurement requirements contained within Section 103 of the New York State General Municipal Law are satisfied and no bid process is required, and

WHEREAS, The County Purchasing Agent and County Attorney have indicated that it is appropriate and proper for the Legislature to waive the County procurement policy, at the request of the County Executive, given that it has been determined that it is in the County's best interest to do so, now, therefore, be it

RESOLVED, By the Albany County Legislature that Resolution No. 323 for 2019, an agreement with SMG for the operation and management of the MVP Arena, is amended to indicate an ending date of December 31, 2027 rather than December 31 2025, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

*Adopted by unanimous vote – 5/9/22*