

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1089 -2015, ADOPTING LOCAL LAW NO. 41 -2015, A LOCAL LAW AUTHORIZING THE ESTABLISHMENT OF A LOCAL DEVELOPMENT CORPORATION KNOWN AS THE RECREATION AND ECONOMIC DEVELOPMENT CORPORATION OF SUFFOLK COUNTY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on November 17, 2015 a proposed local law entitled, "**A LOCAL LAW AUTHORIZING THE ESTABLISHMENT OF A LOCAL DEVELOPMENT CORPORATION KNOWN AS THE RECREATION AND ECONOMIC DEVELOPMENT CORPORATION OF SUFFOLK COUNTY**"; and said local law in final form is the same as when presented and introduced; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. 41 -2015, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW AUTHORIZING THE ESTABLISHMENT OF A LOCAL DEVELOPMENT CORPORATION KNOWN AS THE RECREATION AND ECONOMIC DEVELOPMENT CORPORATION OF SUFFOLK COUNTY

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds that in 2015, Suffolk County hosted the inaugural Suffolk County Marathon and Half Marathon to Support Our Veterans and the subsequent Taste of Long Island Festival to promote Suffolk's "Get Moving" campaign and to promote the County as a tourism destination.

This Legislature further finds that while the Suffolk County Marathon was deemed a very successful event, an after-action review determined that the existence of a Local Development Corporation, such as the Recreation and Economic Development Corporation, would have made the planning, development, and organization of such event more efficient and would have allowed for a greater level of control and oversight over all aspects of the event.

This Legislature hereby further determines that a need exists within the County of Suffolk to foster recreational events such as the Suffolk County Marathon that will serve to promote health, wellness and provide long-term economic development opportunities in the County.

This Legislature further finds and determines that recreational events will establish Suffolk County as a recreation destination, promote physical fitness and individual achievement, as well as provide jobs, expand the business base, strengthen neighborhoods, empower families, and support local economies.

This Legislature also finds that the establishment of a Suffolk County local development corporation for recreation and economic development will give the County an additional tool to:

- provide organized outdoor recreation and special events, such as the Suffolk County Marathon, that are of interest and benefit to the residents of Suffolk County;
- attract an increased population into Suffolk County to participate in recreational events and spur economic growth;
- stimulate economic development throughout Suffolk County by highlighting the County's downtowns, award winning foods and beverages, and its beautiful parks, open spaces, and natural waterways; and
- assist with the revitalization of the economy.

Therefore, the purpose of this law is to create a Suffolk County local development corporation for the creation and implementation of recreational and special events as well as economic development initiatives in Suffolk County.

Section 2. Creation of Local Development Corporation.

The County Executive and/or his designee(s) are hereby authorized, empowered and directed to take all steps necessary to create and cause the incorporation of a not-for-profit Recreation and Economic Development Corporation of Suffolk County ("RECS") pursuant to Section 1411 of the New York Not-For-Profit Corporation Law. The RECS shall be created for the purposes and shall exercise and perform the powers described in Sections 1 and 3 hereof, in accordance with the provisions of the Certificate of Incorporation of the RECS. There shall be three (3) directors of the Corporation. One (1) director shall be appointed by the Presiding Officer of the Legislature. Two (2) directors shall be appointed by the County Executive, at least one (1) of whom shall be an individual who (i) is not, and in the past two (2) years has not been, employed by the County; (ii) is not, and in the past two (2) years has not been, employed by an entity that received remuneration valued at more than fifteen thousand dollars for goods and services provided to the County or received any other form of financial assistance valued at more than fifteen thousand dollars from the County; (iii) is not a relative of an employee of the County; and (iv) is not, and in the past two (2) years has not been, a lobbyist registered under a state or local law and paid by a client to influence the management decisions, contract awards, rate determinations or any other similar actions of the County.

Section 3. Corporate Purposes.

The lawful public or quasi-public objective which the corporate purpose will achieve is to expand and/or create recreation and recreational events in Suffolk County which will contribute to the economic development of this County. In furtherance of its corporate purposes, the corporation shall have all of the general powers enumerated in Section 202 and Section 1411 of the Not-For-Profit Corporation Law, together with the power to solicit grants and contributions for the corporate purposes, and the powers to:

- i) provide year-round recreation in Suffolk County to promote health and wellness;
- ii) provide for the continued implementation of the Suffolk County Marathon;
- iii) promote, foster and maintain economic opportunities;
- iv) advocate for expansion of business opportunities for the benefit of the community;
- v) develop, advance and stimulate business and commercial interests in Suffolk County;
- vi) hold, conduct and organize meetings, discussions and forums to consider community opinion on recreational and economic development activities;
- vii) aid, assist, cooperate, and co-sponsor organizations and groups including, but not limited to, veterans organizations on civic and other programs to improve and promote business opportunities in the Suffolk County community; and
- viii) work with County departments and agencies to ensure the success of planned events.

Section 4. Implementation.

The Suffolk County Departments of Parks, Recreation and Conservation and Economic Development and Planning shall assist the RECS in implementing and carrying out the policies and programs approved by the RECS Board of Directors.

Section 5. Applicability.

This law shall apply to any actions occurring on or after the effective date of this law.

Section 6. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 7. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 8. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

DATED: December 15, 2015

APPROVED BY:

/s/Dennis M. Cohen
Chief Deputy County Executive of Suffolk County

Date: December 21, 2015

After a public hearing duly held on December 21, 2015
Filed with the Secretary of State on December 23, 2015