

Intro. Res. No. 1879-2020

Laid on Table 11/4/2020

Introduced by Presiding Officer Calarco and Legislators Fleming, Anker, Cilmi, Flotteron, Berland, Spencer

**RESOLUTION NO. 976 -2020, ADOPTING LOCAL LAW
NO. -2020, A LOCAL LAW TO PROVIDE MORE
CONSISTENT FUNDING TO THE VANDERBILT MUSEUM**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on November 4, 2020, a proposed local law entitled, "**A LOCAL LAW TO PROVIDE MORE CONSISTENT FUNDING TO THE VANDERBILT MUSEUM**"; now, therefore be it

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

LOCAL LAW NO. -2020, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO PROVIDE MORE CONSISTENT FUNDING
TO THE VANDERBILT MUSEUM**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Suffolk County assumed responsibility for the Vanderbilt Museum pursuant to the last will and testament of William K. Vanderbilt.

This Legislature also finds and determines that the Vanderbilt Museum has a variety of funding sources, including revenue from the County's collection of hotel and motel occupancy tax, ticket sales, and the endowment left by Mr. Vanderbilt.

This Legislature further finds and determines that the County is currently experiencing significant budgetary constraints which impact its ability to support certain elements of the Vanderbilt Museum.

This Legislature finds that in order to ensure that the Vanderbilt Museum has the funds necessary for repairs, capital improvements and debt reduction, an enterprise fund should be established by the County and funded using a portion of the income received from the endowment.

This Legislature determines that this enterprise fund would allow the Vanderbilt Museum to become increasingly self-sufficient and relieve some of the tensions associated with funding certain capital projects.

Therefore, the purpose of this law is to establish and fund an enterprise fund for the Vanderbilt Museum.

Section 2. Amendments.

Chapter 250 of the SUFFOLK COUNTY CODE is hereby amended to add a new section as follows:

Chapter 250. Vanderbilt Museum.

* * * *

§ 250-13. Enterprise Fund Established, Terms of Fund Use.

- A. The County hereby establishes the Vanderbilt Museum Enterprise Fund to provide dedicated funding for capital improvements at or the reduction of debt incurred by the Vanderbilt Museum. Beginning on January 1, 2022 and continuing each year thereafter, the Vanderbilt Museum Enterprise Fund shall be funded through an annual disbursement of 2% of the market value provided such disbursement does not pierce the corpus of the endowment generated from the Vanderbilt Museum's endowment.

- B. Monies deposited into the Vanderbilt Museum Enterprise Fund may be utilized upon the approval of the Board of Trustees and the approval of an appropriating resolution by the County Legislature for either capital improvements to the Vanderbilt Museum or to reduce debt incurred by the Vanderbilt Museum after the formation of the Enterprise Fund.

Section 3. Applicability.

This law shall apply to all capital improvement projects funded for and/or debt incurred by the Vanderbilt Museum on or after the effective date of this law.

Section 4. 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 5. 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)(26), (27) and (33) 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 in that the action constitutes routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment. 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 6. Effective Date.

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

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED: December 15, 2020

APPROVED BY:

/s/ Lisa Black
Chief Deputy County Executive of Suffolk County

Date: December 28, 2020