

CITY OF LONG BEACH
NOTICE OF ESTOPPEL

NOTICE IS HEREBY GIVEN that the bond ordinance, which is published herewith, has been adopted by the Council of the City of Long Beach, Nassau County, New York, on July 6, 2021 and the validity of the obligations authorized by such ordinance may be hereafter contested only if such obligations were authorized for an object or purpose for which said City is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Dated: Long Beach, New York
July 7, 2021

David W. Fraser
City Clerk

ORDINANCE AUTHORIZING FINANCING FOR VARIOUS CAPITAL PROJECTS IN AND FOR THE CITY, STATING THE ESTIMATED TOTAL COST THEREOF IS \$10,142,752, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITURE OF \$1,331,252 EXPECTED TO BE RECEIVED IN STATE OR FEDERAL AID, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$8,811,500 BONDS OF SAID CITY TO FINANCE SAID APPROPRIATION; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF CERTAIN OF SUCH CAPITAL PROJECTS AS INDICATED HEREIN, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND BONDS.

BE IT ENACTED, by the Council of the City of Long Beach, Nassau County,
New York, as follows:

Section 1. The City of Long Beach, Nassau County, New York (herein called the "City"), is hereby authorized to finance the costs of construction, acquisition or undertaking of the various capital projects as described in column A of Schedule I attached hereto and hereby made a part hereof, at the estimated maximum costs indicated in column B of such Schedule I. The total estimated cost of such projects, including preliminary costs and costs incidental thereto and to the financing thereof, is \$10,142,752

and said amount is hereby appropriated therefor. The plan of financing includes the expenditure of \$1,331,252 in State and Federal aid expected to be received in the amounts indicated in column C of such Schedule I and the issuance of not to exceed \$8,811,500 bonds of the City to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any amounts received by the City from the United States of America and/or the State of New York are hereby authorized to be expended towards the cost of the applicable specific objects or purposes, classes of objects or purposes or combinations of objects or purposes or the redemption of any notes and bonds issued therefor or to be budgeted as an offset to the taxes for the repayment of the principal of and interest on said notes and bonds.

Section 2. Bonds of the City in the aggregate principal amount of not to exceed \$9,736,500 are hereby authorized to be issued in the respective principal amounts indicated in column D of Schedule I for each of the respective objects or purposes indicated in column A of such Schedule I, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance the appropriation referred to herein.

Section 3. The respective periods of probable usefulness of the specific objects or purposes and classes of objects or purposes as referenced in column G of the attached Schedule I, for which said bonds are authorized are to be issued, within the limitations of §11.00 a. of the Law, are set forth in columns F and G of the attached Schedule I.

Section 4. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of

bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the City Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing agreements for credit enhancement, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

Section 7. The validity of the bonds authorized by this ordinance, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such ordinance or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 8. This Ordinance, which takes effect immediately upon the final passage thereof, shall be published in summary form in the official newspaper of said City, together with a notice of the City Clerk in substantially the form set forth in Section 81.00 of the Local Finance Law.

SCHEDULE I

SCHEDULE I 2022 CHART OF COMPONENTS

	A			B	C	D	E	F	G	H
									<u>Specific, Class or</u>	
<u>Category</u>	<u>Project Name</u>	<u>P</u>	<u>Project Type</u>	<u>Estimated Maximum Cost</u>	<u>Grant Funding</u>	<u>Bond Authorization</u>	<u>PPU</u>	<u>LFL Paragraph</u>	<u>Combination</u>	<u>SEQRA TYPE</u>
<u>General</u>				-	-	-		-		
Roads	Roadway Reconstruction - Various(Designed)	PW2	Reconstruction	\$ 800,000	\$ -	\$ 800,000	15	Par. 20	C	TYPE II
Roads	Road Overlays	PW4	Rehabilitation	\$ 732,000	\$ 582,000	\$ 150,000	15	Par. 20	C	TYPE II
Roads	Curb/Sidewalk Rehabilitation - City Wide	PW5	Construction	\$ 50,000	-	\$ 50,000	10	Par. 24	C	TYPE II
Transportation	Heavy Duty Trolley Bus		Vehicles	\$ 608,000	540,000	\$ 68,000	5	Par 29	S	TYPE II
Public Safety	PD-- Information Technology Communication Network		Equipment	\$ 250,000		\$ 250,000	5	Par. 89	COMBO	TYPE II
Public Safety	PD-Video and Recording System (Internet Sec. Syst.)		Equipment	\$ 145,000		\$ 145,000	5	Par. 89	COMBO	TYPE II
Public Safety	PD - Design/Const. Communication/Office Space, Public Access		Construction	\$ 100,000		\$ 100,000	15	Par. 12(a)(2)	S	TYPE II
Public Safety	Police Department - Vehicles (3)	PD1	Equipment	\$ 283,500	-	\$ 283,500	3	Par 77	C	TYPE II
Public Safety	PD - In Vehicle Computer and Printer Replacement		Equipment	\$ 100,000		\$ 100,000	5	Par. 89	COMBO	TYPE II
Public Safety	PD -Women's PD/FD Locker Room and Shower		Construction	\$ 150,000	-	\$ 150,000	15	Par. 12(a)(2)	S	TYPE II
Recreation	New pool Liner at the Recreation Center located at 700 Magnolia Blvd.		Construction	\$ 215,000	\$ 100,000	\$ 115,000	15	Par 19(c)	S	TYPE II
Recreation	New Roof at Ice Arena located at 150 West Bay Drive	3	Design/Construction	\$ 800,000	-	\$ 800,000	15	Par 19(c)	S	TYPE II
Buildings	Renovation of City Hall FD Quarters		Design/Construction	\$ 490,000	-	\$ 490,000	15	Par. 12(a)(2)	S	TYPE II
Buildings	New Salt Storage Dome at transfer station southeast corner of Riverside Blvd and Park	6	Design/Construction	\$ 114,252	\$ 109,252	\$ 5,000	15	Par. 11(c)	S	TYPE II

	Place									
Buildings	New Generator for City Hall		Design/Construction	\$ 130,000	-	\$ 130,000	30	Par. 5	S	TYPE II
Buildings	City Building Rehabilitation - Various Locations		Design/Construction	\$ 100,000	-	\$ 100,000.00	15	Par. 12(a)(2)	C	TYPE II
Grounds	Tree Replanting	1	Construction	\$ 25,000	\$ -	\$ 25,000	5	Par. 57(1st)	C	TYPE II
Grounds	Fencing - Various	2	Construction	\$ 50,000	-	\$ 50,000	5	Par. 35	C	TYPE II
Technology	SCA Software (Municipity)		Equipment	\$ 50,000	-	\$ 50,000	5	Par. 35	C	TYPE II
F & G FUNDS										
Sewer	Sewer Upgrades		Construction	\$ 600,000	-	\$ 600,000	40	Par. 4	C	TYPE II
Water	Supply Well Replacement		Design/Construction	\$ 4,000,000	-	\$ 4,000,000	40	Par. 1	C	TYPE II
Water	WTP-Variou Plant Improvements located at 765 Park Place	2	Construction	\$ 100,000	-	\$ 100,000	40	Par. 1	C	TYPE II
Water	WTP- High Pressure Filter Rehabilitation located at 765 Park Place		Design/Construction	\$ 250,000		\$ 250,000	15	Par. 1	S	TYPE II
				\$10,142,752	\$ 1,331,252	<u>\$ 8,811,500</u>				