

**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 August 1, 2023 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
August 2, 2023**

**David W. Fraser
City Clerk**

BOND ORDINANCE DATED AUGUST 1, 2023.

ORDINANCE AUTHORIZING FINANCING FOR VARIOUS CAPITAL PROJECTS IN AND FOR THE CITY, STATING THE ESTIMATED TOTAL COST THEREOF IS \$18,501,200, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITURE OF ANY STATE OR FEDERAL AID EXPECTED TO BE RECEIVED IN CONNECTION THEREWITH, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$14,674,200 BONDS OF SAID CITY TO FINANCE A PORTION OF SAID APPROPRIATION; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARD 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, (by the favorable vote of not less than two-thirds of all the members of said Council) 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 B of Schedule I attached hereto and hereby made a part hereof, at the respective estimated maximum costs indicated in column C of such Schedule I. The total estimated maximum cost of such projects, including preliminary costs and costs incidental thereto and to the financing thereof, is \$18,501,200 and said amount is hereby appropriated therefor. The

plan of financing includes (i) the expenditure of State and Federal aid expected to be received in connection with such projects as described in column F of such Schedule I, (ii) the issuance of not to exceed \$14,674,200 bonds of the City to finance said appropriation, and (iii) the levy and the 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 \$14,674,200 are hereby authorized to be issued in the respective principal amounts indicated in column E of Schedule I for each of the respective objects or purposes indicated in column B 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, classes of objects or purposes and combinations as referenced in column B 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 column I 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 Bond Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish the foregoing ordinance, in full, together with a notice in substantially the form prescribed by §81.00 of the Law in “*The Long Beach Tribune*,” the official newspaper of said City for such publication.

SCHEDULE 1 - 2023 CHART OF COMPONENTS

A Category	B Project Name	C ESTIMATED MAXIMUM COST	D GRANT FUNDING	E BOND AUTHORIZATION	F 2024 Non City Funding		G PPU	H LFL Paragraph	I Specific, Class or Combination
					City Portion	Grant Portion			
Roads	Road Overlays	\$ 500,000	\$0	\$ 500,000	\$ -	\$ -	15	Par. 20(c)	C
Roads	Curb/Sidewalk Rehabilitation - City Wide	\$ 100,000	\$0	\$ 100,000	\$ -	\$ -	10	Par. 24	C
Public Safety	Fire Department - Fire Ladder Truck	\$ 2,115,000	\$0	\$ 2,115,000	\$ -	\$ -	20	Par. 27	S
Public Safety	PD-City wide security (CCTV, Access Control, Internet/Recording), Radios and other security upgrades	\$ 220,000	\$0	\$ 220,000	\$ -	\$ -	10	Par. 24	C
Public Safety	Police Department - Vehicles (3)	\$ 210,000	\$0	\$ 210,000	\$ -	\$ -	5	Par. 29	C
Public Safety	PD - Technology Upgrades - Interoperable Communication Center for Police, Fire, EMS, and OEM	\$ 355,200	\$ 355,200	\$ 355,200	\$ -	\$ 355,200	10	Par. 24	C
Public Safety	PD-Safety/Traffic/Crowd Control Equipment	\$ 39,000	\$0	\$ 39,000	\$ -	\$ -	5	Par. 32	C
Public Safety	PD - Body Camera/Tasers	\$ 185,000	\$ 160,000	\$ 25,000	\$ 25,000	\$ 160,000	10	Par. 24	C
Buildings	Central Garage - DPF Filter Cleaner	\$ 80,000	\$ 72,000	\$ 80,000	\$ 8,000	\$ 72,000	10	Par. 13	C
Buildings	Central Garage - Fuel Management System	\$ 55,000	\$0	\$ 55,000	\$ -	\$ -	10	Par. 13	C
Buildings	City Building Rehabilitation - Various Locations	\$ 750,000	\$0	\$ 750,000	\$ -	\$ -	15	Par. 12(a)(2)	C
Grounds	Fencing - Various	\$ 100,000	\$0	\$ 100,000	\$ -	\$ -	5	Par. 35	C
Parks	Playgrounds	\$ 100,000	\$0	\$ 100,000			15	Par. 19(c)	C
Equipment	Recreation - Zamboni	\$ 115,000	\$ 115,000	\$ 115,000	\$ -	\$ 115,000	15	Par. 19(c)	C
Equipment	Street Maintenance - Asphalt Hot Patcher Slip in Unit (Hot Box)	\$ 60,000		\$ 60,000			15	Par. 20(c)	C
Various	Eco-Dev New York Forward-Park Ave. Project	\$ 2,000,000		\$ 2,000,000	\$ -	\$ 2,000,000	15	Par. 20(c)	C
Technology	Fixed Assets Management System(FRB)	\$ 50,000	\$ 50,000	\$ 50,000	\$ -	\$ 50,000	10	Par 81(a)	S
Technology	Time Management Software (FRB)	\$ 200,000	\$ 200,000	\$ 200,000	\$ -	\$ 200,000	5	Par 81(b)	C
Sewer	Sewer Upgrades	\$ 500,000	\$ -	\$ 500,000	\$ -	\$ -	40	Par. 4	C
Water	Water Meter Replacement	\$ 6,667,000	\$ 2,000,000	\$ 4,000,000	\$ 667,000	\$ 2,000,000	20	Par. 30	C
Water	Various Plant Improvements	\$ 100,000	\$0	\$ 100,000		\$ -	40	Par. 1	C
Water	Water System Upgrades - Various	\$ 4,000,000	\$ 1,000,000	\$ 3,000,000	\$ 3,000,000	\$ 1,000,000	40	Par. 1	C
TOTAL		\$ 18,501,200	\$ 3,952,200	\$ 14,674,200	\$ 3,700,000	\$3,952,200.00			