

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
AUGUST 7, 2018

1. Resolution Authorizing the City Manager to Issue a Purchase Order for the Supply, Transport and Delivery of Concrete from the Lowest Responsible Bidder.
2. Resolution Authorizing the City Manager to Enter into an Imprest Agreement with the Local Development Corporation.

Legislative Memo: In May 2018, iStar FM Loans and Shore Road-Long Beach Superblock LLC (collectively, “iStar”) filed a complaint in Nassau County Supreme Court [Index No. 606535/2018] against the City and the Long Beach Local Development Corporation (“LDC”). The LDC, however, possesses insufficient assets to retain outside counsel. A default by the LDC would be harmful to its interests, and could potentially impact the City’s interests as well. As such, this donation is intended to allow the LDC to retain attorneys (of its choosing) in order to answer and/or move to dismiss the Complaint, and otherwise litigate the action.

3. Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Emergency Ambulance Services.

August 7, 2018

Item No. 1
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Issue a Purchase
Order for the Supply, Transport and Delivery of Concrete from
the Lowest Responsible Bidder.

WHEREAS, after due advertisement therefore, bids were received in the Office of
the City Purchasing Agent on Thursday, July 19, 2018 at 11:00 a.m. for the supply, transport and
delivery of concrete on an “as needed” basis for a period of one year; and

WHEREAS, Universal Ready Mix, 197 Atlantic Avenue, Garden City Park, New
York 11090 was the lowest responsible bidder for the supply, transport and delivery of concrete
for a cost of \$80.00 per cubic yard for 3500 PSI strength, \$92.00 per cubic yard for Nassau
County Class A, \$100.00 per cubic yard for New York State Calcium Chloride Concrete and an
additional \$7.00 per cubic yard for Winter Concrete (11/15-3/31) and \$100.00 per cubic yard for
short loads under 6 cubic yards;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
City Manager be and he hereby is authorized to purchase concrete from Universal Ready Mix,
197 Atlantic Avenue, Garden City Park, New York 11090, including the supply, transport and
delivery of same, on an “as needed” basis for a period of one year. Funds are available in
Account No. A1490.54449 (Public Works-Masonry Repairs).

August 7, 2018

Item No. 2
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into
an Imprest Agreement with the Local Development Corporation.

WHEREAS, the City of Long Beach is a municipal corporation organized and
existing under the laws of the State of New York; and

WHEREAS, pursuant to its certificate of incorporation, the Long Beach Local
Development Corporation (“LDC”) is a not-for-profit corporation existing under the Not-for-
Profit Corporation Law of the State of New York, and “an instrumentality of, but separate and
apart from, the City of Long Beach”; and

WHEREAS, pursuant to its certificate of incorporation, the LDC is established
“exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal
Revenue Code of 1986, as amended, to relieve and reduce unemployment, promote and provide
for additional and maximum employment, improve and maintain job opportunities, and lessen
the burden of government and act in the public interest”; and

WHEREAS, in May 2018, iStar FM Loans and Shore Road-Long Beach
Superblock LLC (collectively, “iStar”) filed a complaint in Nassau County Supreme Court
[Index No. 606535/2018] against the City and the LDC; and

WHEREAS, the LDC has endeavored to retain counsel to submit a separate
motion to dismiss, but retaining counsel has proven difficult for the LDC in light of its minimal
fund balance; and

WHEREAS, unless the LDC is able to retain counsel prior to the deadline, it risks
defaulting in this action, thereby jeopardizing its existence, and (by extension) its charitable
mission and corresponding objectives; and

WHEREAS, any such default has the potential to impact the City detrimentally;
and

WHEREAS, to mitigate the foregoing risks, the parties wish to enter into an
Imprest Agreement for the purpose of funding the above-referenced litigation; and

WHEREAS, pursuant to Section 3 of the Charter of the City of Long Beach, the
City, as a municipal corporation, has the power to convey real and personal property and desires
to issue a donation of \$25,000 to the LDC, for the sole and exclusive use, in their defense of the
above-referenced legal action;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, that the City
Manager is hereby authorized to enter into an Imprest Agreement with the Long Beach Local

August 7, 2018

Page 2
Item No. 2
Resolution No.

Development Corporation whereby the City shall issue a donation to the LDC in the amount of \$25,000, payable from Account No. A1990.54406 (Contingency), for the LDC's sole and exclusive use in the defense of the above-referenced legal action; and be it further

RESOLVED, that said agreement shall contain such other terms and conditions as the City Manager shall deem proper and advisable.

August 7, 2018

Item No. 3
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication for Hearing of an
Ordinance to Amend the Code of Ordinances of the City
of Long Beach Re: Emergency Ambulance Services.

WHEREAS, there has been presented to this Council the following proposed
Ordinance:

“ORDINANCE TO AMEND THE CODE OF ORDINANCES OF
THE CITY OF LONG BEACH RE: EMERGENCY AMBULANCE
SERVICES.”

(See Ordinance Attached)

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the
City Clerk shall cause to be published in the official newspaper of the City of Long Beach the
title, and a summary or the full text of said Ordinance; and be it further

RESOLVED, that said Ordinance shall be on the calendar for public hearing at a
meeting of the City Council to be held at City Hall, 1 West Chester Street, Long Beach, New
York, on August 21, 2018 at 7:00 p.m. on that day.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF
THE CITY OF LONG BEACH RE: EMERGENCY AMBULANCE
SERVICES.

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

Sec. 1. Chapter 11, Article VI, Section 11-79 of the Code of Ordinances of the City of Long Beach, as heretofore amended, shall be and the same is hereby added to and amended to read as follows:

“Sec. 11-79. Establishing a fee schedule for emergency ambulance services provided by the city fire department.

(a) The following fees are heretofore established for emergency ambulance services provided by the city fire department involving basic life support (BLS):

Transportation **\$1,445.00** [\$1,014.98]

Emergency Care provided at scene (non-transport) \$100.00

Mileage, per mile . . . **\$32.00** [\$15.00]

(b) The following fees are heretofore established for emergency ambulance services provided by the Long Beach Fire Department involving advanced life support (ALS) level 1:

Transportation, including oxygen, oxygen immobilizing devices, defibrillator/monitor use **\$1,675.00** [\$1,218.18]

Mileage, per mile **\$32.00** [\$15.00]

(c) The following fees are heretofore established for emergency ambulance services provided by the city fire department involving advanced life support (ALS) level 2:

Transportation, including oxygen, oxygen immobilizing devices, defibrillator/monitor use/cardioversion, endotracheal intubation, central venous line, cardiac pacing, chest decompression, surgical airway, intraosseous line **\$2,150.00** [\$1,268.98]

Mileage, per mile **\$32.00** [\$15.00]”

Sec. 2. This Ordinance shall take effect immediately