

**CITY OF LONG BEACH
MINUTES OF THE REGULAR MEETING
OF THE COMMON COUNCIL
HELD SEPTEMBER 9, 2021**

A regular meeting of the City Council of the City of Long Beach was held on Thursday, September 9, 2021.

Present were Council President Bendo and Council Members Delury, Mandel, McInnis* and Treston.

Corporation Counsel Richard Berrios and City Manager Donna Gayden were also present.

**Council Member McInnis was late to the meeting.*

Council Member Treston gave a City Council update and acknowledged those who had recently passed away. She also reflected upon the 20th year anniversary of 9/11.

(Editor's Note: The City Manager's report was given at the end of the business meeting)

The City Manager thanked all the Department Heads and Administrative Staff for their hard work that was performed during the summer months in an effort to keeping the city clean and moving towards a positive direction. She then introduced Police Commissioner Ron Walsh to give his update.

Police Commissioner Walsh spoke about the past week's events including Police Officer Brian Vais's exemplary performance.

Ms. Gayden then introduced Ms. Inna Reznik, City Comptroller.

Ms. Reznik gave a brief update regarding the good work of the City Comptroller's office and in conjunction with the Corporation Counsel, was able to get reimbursement of \$180,000.00 for the expenses that the city had incurred with connection to the Isais Storm. She also noted that the city was working on getting reimbursed for expenses related to COVID.

Ms. Gayden added that the city would continue to work on getting reimbursed for anything the city would be entitled to. She then introduced Mr. John McNally, Director of Public Relations to give his report.

Mr. McNally gave a brief update on the Superblock groundbreaking with Engle Berman. He also noted that in order to move the development forward, the IDA (Industrial Development Agency) who provided them with their payment in lieu of taxes, created a liaison committee including two residents; one representative from the City Council; Legislator Denise Ford; a member from Engle Berman; a member from the labor community and the Chairman of the IDA Board.

Mr. McNally then gave a COVID update noting the number of new administered vaccinations and new confirmed cases. He added that the Vax Mobile was recently stationed in Kennedy Plaza and would be returning soon to provide new vaccines as well as boosters for those who were eligible (compromised immune systems and transplant patients). Mr. McNally concluded

that testing was still available and spoke about the precautions that the city was taking as far as its community events.

The City Manager then introduced Commissioner of Parks and Recreation, Joe Brand.

Commissioner Brand spoke about the City's events and gave the update on the upcoming Irish Day event. He noted that there had been a lot of dialogue between the City and the AOH (Ancient Order of Hibernians) to help come to a mutual resolution that would be acceptable to both parties. Mr. Brand continued to speak about the misinformation that had been circulating stating that the city had cancelled Irish Day and he wanted to dispel any incorrect information. He concluded by stating that over the past 48 hours and through mutual concessions and much discussion, both parties were confident that the Irish Day Parade and street fair would take place with some changes that would be safe for everyone. Commissioner Brand then gave a logistical outline of what Irish Day would look like.

Council Vice President McInnis asked if Mr. Brand had heard from the School District Administration regarding the use of West School playground.

Mr. Brand replied that he did not hear from them as of yet and felt he would be hearing from them soon.

Council Member Delury thanked both the city and the AOH for their cooperative efforts and felt that all involved would come together and make it happen safely.

Commissioner Brand then spoke about the newly installed pool liner and hoped to have the pool opened by 9/20/2021. He added that fall programs were beginning and registration was available. Mr. Brand commented on the Senior Center programs and commended the lifeguards and the beach park staff for their hard work. He also mentioned the police specials and beach maintenance departments for a job well done during the summer months.

Council Member Delury asked everyone to stay safe this weekend due to the ocean's rip tide and anticipated rough waters.

Ms. Gayden thanked the team that came together and the AOH members who met to speak about the event and wanted the audience to know that decisions were made with all parties involved including the departments responsible for the particular events that take place in the City. She also expressed how she was pleased with the process and looked forward to a safe and happy event.

The calendar items were read by the City Clerk

#1 – Approval of Minutes of Prior Meetings of July 6, 2021, July 20, 2021 and August 3, 2021

Council Member Mandel made a motion to approve the minutes. It was seconded by Pres. Bendo and was carried by four affirmative votes (*Council Member McInnis was late and was not present for the vote*).

#2 – Resolution Authorizing the City Manager to Purchase Police Vehicle Terminals/Computers from the Sole Source Provider

Police Commissioner Ron Walsh explained that this item was for the vehicle computers and modems including all communication and network hardware. He added that these items were on order so that there would be no delay in installing the equipment once the new vehicles arrived.

#3 – Resolution Authorizing Transfer of Funds for the 2021-2022 Fiscal Year

Council Pres. Bendo made a motion to change the wording “Regular Salaries-Regular Salaries” to “Bus Transportation-Regular Salaries”. It was seconded by Mr. Mandel and was carried by four affirmative votes (*Council Member McInnis was late and was not present for the vote*).

Ms. Inna Reznik, City Comptroller explained that this item was a change in personnel salaries that were moved from part-time to full time positions in the transportation department.

Director of Operations, Tommy Canner added that funds were being transferred from the Beach Maintenance Department, and due to a retirement from this department, there was a surplus in the full-time line. He continued to say that the transfer was being made to the tax assessor and tax receiver’s office to fund two grade changes for two employees that have been employed for 15 years and one for 25 years. Mr. Canner noted that they would be assuming more responsibility, and this would save the city from hiring part-time people. He also added that this was part of the re-structuring project on the 3rd floor of City Hall which would help to serve the public in a more efficient manner.

#4 – Resolution Authorizing the City Manager to Enter into an Agreement for Water/Sewer Testing at the Water Treatment Plant with the Sole Responsible Bidder

Public Works Commissioner, Joe Febrizio explained the purpose of the resolution and stated the award was given to Pace Analytical Services and described their services and a cost savings.

#5 – Resolution Authorizing the City Manager to Purchase Various Sized Trash Bags from the Lowest Responsible Bidders

Mr. Febrizio explained this resolution and the different bids that were presented and the reduction in costs.

Council Member Delury asked about the clear trash bags and what they were used for.

Mr. Canner explained that the clear bags were used for the recycling on the beach.

Eileen Hession (516 E Beech St) – asked about a total price.

Mr. Febrizio explained that it all depended upon the quantity ordered.

#6 – Resolution Authorizing the Continued Retention of O’Melveny & Myers LLP

Editor’s Note: Items 6 and 7 were called at the same time

#7 – Resolution Authorizing the Continued Retention of M3 Partners, LP

Ms. Maria DiConza of O'Melveny and Meyers gave the background of their services and the different phases that were put in place.

Mr. Brian Griffith gave an update on what services had been provided to the city thus far.

Ms. DiConza added that it would take time and hard work in correcting the city's problems and by extending the agreements, she hoped to be part of the solution for Long Beach. She continued to speak about the objectives within phase 1 and phase 2. Ms. DiConza also spoke about the contents of the agreement.

Ms. Gayden discussed the two contracts and the roles of both M3 and O'Melveny. She also spoke about her conversation with the FRB (Financial Restructuring Board) and its role in helping to fund these items and other project costs. Ms. Gayden added that she and the City Comptroller continue to look towards other alternatives until the FRB approves the funding.

Roy Lester (72 Boyd St) – asked how much the city had received thus far from the state. He continued to ask questions regarding the existing agreements with O'Melveny and M3 and what was paid to them.

Ms. Gayden replied that the city received \$300,000.00 so far from the state and answered all the other questions re: O'Melveny and M3 agreements.

#8 – Resolution Authorizing the Continued Retention of Special Labor Counsel

Corporation Counsel, Rich Berrios described the resolution and its cost savings to the city. He also noted other advantages that would be available to the Corporation Counsel.

#9 – Resolution to Adjourn the City Council Meeting of September 21, 2021

Council President Bendo noted that it was decided to change the date of the meeting since some members would be attending NYCOM training.

ADDED BY UNANIMOUS CONSENT

#10 – Resolution Authorizing the Extension of the Contract Memorializing the City Manager's Employment

City Council President Bendo spoke explained the extension of the City Manager's contract.

The voting portion of the meeting was then begun.

Council Member Treston introduced and moved the adoption of the following resolution, seconded by Pres. Bendo, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #135/21)

Resolution Authorizing the City Manager to Purchase Police Vehicle Terminals/Computers from the Sole Source Provider

Council Pres. Bendo introduced and moved the adoption of the following resolution (as amended), seconded by Mr. Mandel, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #136/21)

Resolution Authorizing Transfer of Funds for the 2021-2022 Fiscal Year

Council Member Delury introduced and moved the adoption of the following resolution, seconded by Pres. Bendo, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #137/21)

Resolution Authorizing the City Manager to Enter into an Agreement for Water/Sewer Testing at the Water Treatment Plant with the Sole Responsible Bidder

Council Member Mandel introduced and moved the adoption of the following resolution, seconded by Mr. Delury, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #138/21)

Resolution Authorizing the City Manager to Purchase Various Sized Trash Bags from the Lowest Responsible Bidders

Council Member Treston introduced and moved the adoption of the following resolution, seconded by Mr. Mandel, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #139/21)

Resolution Authorizing the Continued Retention of O'Melveny & Myers LLP

Council Member Treston introduced and moved the adoption of the following resolution, seconded by Pres. Bendo, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #140/21)

Resolution Authorizing the Continued Retention of M3 Partners, LP

Council Member Mandel introduced and moved the adoption of the following resolution, seconded by Mr. Delury, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #141/21)

Resolution Authorizing the Continued Retention of Special Labor Counsel

Council Pres. Bendo introduced and moved the adoption of the following resolution, seconded by Ms. Treston, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #142/21)

Resolution to Adjourn the City Council Meeting of September 21, 2021

Council Member Mandel introduced and moved the adoption of the following resolution, seconded by Mr. Delury, and it was duly adopted, all five council members present voting in the affirmative.

(RES. #143/21)

Resolution Authorizing the Extension of the Contract Memorializing the City Manager's Employment

There being no further business before the Council, Council Pres. Bendo made a motion to close the meeting. It was seconded by Ms. Treston and was duly closed, all five council members present voting in the affirmative.

Dated: September 10, 2021

David W. Fraser
City Clerk

Good and Welfare

Tina Posterli – 32 Clark St

Spoke about the AOH Irish Day event

Sean Hood – 524 W Chester St

Spoke about the AOH Irish Day event

Dan Creighton – 370 W Olive St

Spoke about the Engle Burman project on the superbloc and the IDA decision for this project and tax amounts for the property

Roy Lester – 72 Boyd St

Spoke about boardwalk conditions, bids for water testing, the installation of a new pool liner, beach park revenue and the contracts with O'Melveny and M3

Eileen Hession – 516 W Beech St

Spoke about boardwalk conditions, fines, the AOH Irish Day event, and the Haberman property

Bill Holtmeyer

Spoke about the AOH Irish Day event

Jaime Lynch – 16 May Walk

Spoke about the AOH Irish Day event