

November 19, 2024

Item No. 6  
Resolution No. 176/24

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: Administration.

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: ADMINISTRATION.”  
(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 December 3, 2024 at 7:00 p.m. on that day.

APPROVED:

\_\_\_\_\_  
City Manager

APPROVED AS TO FORM & LEGALITY:

\_\_\_\_\_  
Corporation Counsel

VOTING:

Council Member Bendo -

Council Member Lester -

Council Member Reinhart -

Vice President Fiumara -

President Finn -

ORDINANCE TO AMEND THE CODE OF ORDINANCES  
OF THE CITY OF LONG BEACH RE: ADMINISTRATION

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

Sec.1. Chapter 2, Article II, Division II, Sections 2-25, 2-26, 2-27, 2-28, 2-29, 2-30, 2-31 and 2-32 of the Code of Ordinances of the City of Long Beach, as heretofore amended, shall be and the same are hereby amended to read as follows:

“Sec. 2-25. Meetings to be public.

All meetings of the **City Council** shall be public.

Sec. 2-26. Days and time for regular meetings.

The **City Council** shall meet in **City Hall** on the first and third Tuesdays of each month at 7:00 p.m. **or another time designated by the Council with notice in accordance with applicable law.** When the time for any regular meeting of the **Council** falls on a holiday or New Year's Eve, the meeting shall be held at the same hour on the first next day which is not a holiday **or another time designated by the Council with notice in accordance with applicable law.**

Sec. 2-27. Adjourned **and cancelled** meetings

- (a) **A regular meeting may be adjourned to any hour and day certain prior to the next regular meeting, and shall be noticed in accordance with applicable law.**
- (b) **A regular meeting may be cancelled by the City Manager or Council President for the reason(s) of:**
  - 1. **Hazardous conditions that may risk public safety, including but not limited to, hurricane, blizzard, flood, earthquake, fire, and black out;**
  - 2. **Lack of quorum of council members;**
  - 3. **No items on the calendar to be voted on by the council.**
- (c) **If the cancelled meeting is rescheduled it shall be noticed in accordance with applicable law.**

Sec. 2-28. Place of regular meetings

All regular meetings of the council shall be held in the city hall **unless otherwise specified by motion or resolution.**

Sec. 2-29. Preparation of calendar

- (a) Upon delivery to the **City Clerk** of resolutions, ordinances, local laws, motions or other matters, the City Clerk shall prepare a calendar setting forth the items and matters to be acted upon at the **regular** meeting and shall cause a copy of the calendar to be delivered to each **Council member in person or by leaving a copy at the Councilmember's home**, not later than two (2) business days before the council meeting. **Notwithstanding the provisions of this subsection**, a special meeting may be called in accordance with the provisions of section 72 of the Charter.
- (b) **After delivery of the final version of the calendar to the Council**, no other business shall be added to the calendar except upon unanimous consent of the Councilmembers present.

Sec. 2-30. Order of business

**At each meeting of the Council, the business of the Council shall be taken up for consideration and disposition in the following order:**

- (a) **The presiding officer shall call the meeting to order with the assistance of the City Clerk.**
- (b) **Roll call and preliminary matters. Before proceeding with the business of the Council, the roll of the members shall be called and the names of those present shall be entered in the minutes. Thereafter, any applicable reports or updates from the City Manager may be presented.**
- (c) **Public hearings. Public comment on these items are permitted with the permission of the presiding officer in accordance with the time limitations and guidelines set forth in the rules of order.**
- (d) **Calendar items. During the call and presentation of the calendar items, only Councilmembers, presenting individuals, and those with the permission of the presiding officer, in accordance with the guidelines set forth in the rules of order, may speak, except for items on for publication only. At the conclusion of the presentation of the calendar item, the public may comment subject to the time constraints and guidelines set forth in the rules of order, except for items on for publication only or the designating of the President and Vice President of the Council.**
- (e) **Voting on calendar items. At the conclusion of the calendar presentation, debate on the calendar items, and public comment, the City Clerk shall call the calendar items for voting. The City Council shall then proceed in accordance with the rules of order.**
- (f) **Such other items as may be properly before the Council.**
- (g) **At the discretion of the City Clerk, any items may be called out of order in the interest of time or other constraints.**

## Sec. 2-31. Rules of order

- (a) *Presiding officer may debate and vote.* The president, the **vice** president or such other member of the council as may be presiding over a meeting of the **Council** may move, second and debate from the chair, subject only to such limitations of debate as are imposed on all members of the **Council** by this division, and shall not be deprived of any of the rights and privileges of a **Councilperson for being the presiding officer at a meeting.**
- (b) *Manner of addressing the chair.* Each member of the **Council** desiring to speak shall address the chair and, upon recognition by the presiding officer, shall **limit remarks** to the question under debate, avoiding all personalities and any indecorous language.
- (c) *Interruptions.* A member of the **Council**, once recognized, shall not be interrupted when speaking unless it shall be to call **that member** to order, or as otherwise provided in this division. If the member, while speaking, is called to order, **that member** shall cease speaking until the question of order is determined and, if in order, **shall be permitted to proceed.**
- (d) *Privilege of closing debate.* The **Councilperson** moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.
- (e) *Leaving meeting.* No member of the **Council** shall leave a meeting of the **Council** without the permission of the presiding officer.
- (f) *Motion to reconsider.* A motion to reconsider any action taken by the **Council** may be made only on the day the action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session thereof. The motion must be made by one of the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motions or while a member has the floor; the motion shall be debatable. Nothing in this subsection shall be construed to prevent any member of the **Council** from making or remaking the same or any other motion at a subsequent **Council** meeting.
- (g) *Persons other than members addressing the Council.*
  - (1) **During the public comment portion of a meeting**, any person desiring to address the **Council regarding any** calendar **item** shall first secure the permission of the presiding officer, and shall address the Council prior to the **voting on** the calendar.
  - (2) Each person addressing the **Council** shall step up to the front of the rail, shall give their name and may **optionally** give their address in an audible tone of voice for the record and, unless further time is granted by the **Presiding Officer, shall have three (3) minutes in total. During the public comment portion of the meeting**, all remarks shall be confined to the

items under discussion and shall be addressed to the Council as a body and not to any member thereof. No person, other than members of the **Council** and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the **Council**, without the permission of the presiding officer. No question shall be asked a **Councilperson** except through the presiding officer.

- (h) *Preservation of decorum.*
  - (1) *By Council members.* While the **Council** is in session, the members shall preserve order and decorum, and a member shall not by conversation or otherwise, delay or interrupt the proceedings or the peace of the **Council** or disturb any member while speaking or refuse to obey the orders of the **Council** or its presiding officer, except as otherwise provided in this division.
  - (2) *By persons other than Council members.* Any person making personal, impertinent or slanderous remarks or who shall become boisterous **or cause a disturbance** or who shall refuse to obey an order of the presiding officer shall be forthwith barred from further appearance before the **Council**, unless permission to continue is granted by a majority vote of the **Council**.
  - (3) *Enforcement of decorum.* **The Commissioner of Police, or his/her designee**, shall be sergeant-at-arms of the **Council** meetings. **He/she** shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the **Council** meeting. Upon instructions of the presiding officer, it shall be the duty of the sergeant-at-arms to place any person who violates the order and decorum of the meeting under arrest, and cause him to be prosecuted under the provisions of this Code, the complaint for which prosecution shall be signed by the presiding officer.
  - (4) *Persons authorized to be within rail.* No person shall be permitted within the rail in the Council chamber without the express consent of the **Presiding Officer**.
- (i) *Entry of Councilperson's remarks on minutes.* A **Councilperson** may request, through the presiding officer, the privilege of having an abstract of **his or her** statement on any subject under consideration by the **Council** entered in the minutes. If the **Presiding Officer** consents thereto, the abstract shall be entered in the minutes.
- (j) *Synopsis of debate.* The **City Clerk** shall enter in the minutes a synopsis of the discussion on any question coming regularly before the **Council**, unless otherwise directed by the presiding officer.

- (k) ***Block Voting:*** All or any portion of items on the calendar may be voted together if:
- (1) A council member shall make a motion to either block vote the entire calendar, or specifies the specific items to be block voted; and
  - (2) Upon receiving a second to the motion a roll call vote shall be taken by the City Clerk. The motion shall only pass if there is a unanimous vote of the members present in the affirmative. The motion shall fail if there are any negative votes or abstentions and the items shall then be recalled for a vote individually.

**Upon the passing of the motion, each item in the block shall be recorded with the voting result from the motion**

Sec. 2-32. Manner of recording unannounced vote

Unless a member of the Council states that **he or she** is not voting, ~~his~~ a **Council member's** silence shall be recorded as an affirmative vote.”

Sec.2. Chapter 2, Article II, Division II, Section 2-34 of the Code of Ordinances of the City of Long Beach, as heretofore amended, shall be and the same is hereby added to said Chapter and amended to read as follows:

**“Sec. 2-34. Work Sessions.**

**The Council may hold work sessions, informal meetings, or committee meetings the convening of which constitute at least a quorum; however, no final action may be taken at such a meeting, unless the meeting notice states that action may be taken. Work sessions of the Council may be held upon the call of the President or Vice President of the Council or any three Councilmembers and also as may be provided by resolution or rule. The work session shall be open to the public, but public comment is not required. Work sessions shall be noticed in accordance with applicable law.”**

Sec. 3. This Ordinance shall take effect immediately.