

CALENDAR
for
SPECIAL MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
FRIDAY, NOVEMBER 22, 2019

- RES. #99/19 1. Resolution Authorizing the City Council to Ratify the City’s Response to the Office of the New York State Comptroller Draft Report of Examination Number 2019M-68 and 2019M-133.

November 22, 2019

Item No. 1

Resolution No. 99/19

The following Resolution was moved by Mr. Bendo
and seconded by Mr. Mandel :

Resolution Authorizing the City Council to Ratify the City's
Response to the Office of the New York State Comptroller Draft
Report of Examination Number 2019M-68 and 2019M-133.

WHEREAS, the Council today authorizes the submission of a response to the Draft Audits of the New York State Comptroller, to wit audits 2019M-68 and 2019M-133, as attached hereto, and

WHEREAS, this response is preliminary in nature and is intended to convey to the Comptroller and public significant concerns respecting the payment of monies to certain employees who have accumulated leave time which was addressed by the Comptroller in the aforesaid Draft Audit reports for such payment made during one year, to wit July 1, 2017 to June, 30, 2018, and

WHEREAS, the Council has had only one week to prepare its response following the appointment of special counsel to assist in the preparation of the subject Response, and

WHEREAS, the Comptroller reports that it was informed that cash payments for accumulated leave time paid to certain City employees was premised upon the establishment of a certain past practice in 2012, which the Council has been advised by special counsel may be an erroneous basis for said payments, and

WHEREAS, the content of the Response contains the Council's stated concerns and the potential remedies that will require further study and analysis, including a review of payments made during the past seven years,

NOW THEREFORE be it

RESOLVED, that the Council will seek the appointment of special counsel to undertake a complete and thorough analysis of the matters hereinbefore described and with the authorization of the Council to commence proceedings to seek recoupment of said overpayments, and to determine if there exists any individual liability of past and current employees of the City who have authorized said payments or failed to meet their duty to protect the treasury of the City of Long Beach, and be it further

RESOLVED, that the Council will seek the appointment of an accounting firm to be retained to undertake necessary steps to determine the amount of said unauthorized payments made during the past seven years and to assist special counsel in efforts to recover monies as aforesaid, and be it further

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RESOLVED, that the Council will make the foregoing appointments at its regular Council meeting scheduled for December 3, 2019.