

AGENDA

SPECIAL
CITY COUNCIL MEETING

MONDAY, DECEMBER 10, 2012

7:00 P.M.

CITY COUNCIL CHAMBERS, CITY HALL - 45 LYON TERRACE
BRIDGEPORT, CONNECTICUT

Prayer

Pledge of Allegiance

Roll Call

- 161-11** Public Hearing relative to the Establishment of an Annual Fixed Tax Payment for real property located at 1366 Railroad Avenue, Bridgeport Fuel Cell Park.

COMMUNICATIONS TO BE REFERRED TO COMMITTEES:

- 08-12** Communication from OPED re: Proposed Resolution of the City Council regarding the Extension of the Duration of Controls of the Congress Plaza NDP Area No. 2 Urban Renewal Plan, referred to Economic and Community Development and Environment Committee.

MATTERS TO BE ACTED UPON (CONSENT CALENDAR):

- *162-11** Ordinance Committee Report re: Amendments to the Municipal Code of Ordinances, Chapter 15.08 Building Permits and Fees amend Section 15.08.010(A) Building permit and related fees.

UNFINISHED BUSINESS:

- 161-11** Economic and Community Development and Environment Committee Report re: Resolution Authorizing the Establishment of an Annual Fixed Tax Payment on real property at 1366 Railroad Avenue, Bridgeport Fuel Cell Park.

**CITY OF BRIDGEPORT
CITY COUNCIL
SPECIAL MEETING MINUTES
DECEMBER 10, 2012**

CALL TO ORDER

Council President McCarthy called the City Council Meeting to order at 7:15 p.m.

PRAYER

Council Member Lyons led those present in a short prayer.

PLEDGE OF ALLEGIANCE

Council Member Blunt led those present in reciting the Pledge of Allegiance.

ROLL CALL

City Clerk Hudson called the roll.

The following members were present:

131st District: Denese Taylor-Moye
132nd District: John Olson, M. Evette Brantley
133rd District: Thomas McCarthy
134th District: Michelle Lyons, AmyMarie Vizzo-Paniccia
135th District: Richard Bonney, Warren Blunt
136th District: Angel dePara
137th District: Manuel Ayala
138th District: Richard Paoletto,
139th District: Andre Baker, James Holloway

A quorum was present.

Council President McCarthy announced that Council Member Brannelly had a death in the family, Council Members Martinez and Curwen were absent due to medical issues and Council Member Silva had a scheduling conflict.

RECEIVED
CITY CLERK'S OFFICE
DEC 11 AM 9:37

PUBLIC HEARING.

161-11 Public Hearing relative to the Establishment of an Annual Fixed Tax Payment for real property located at 1366 Railroad Avenue, Bridgeport Fuel Cell Park.

Council President McCarthy called the public hearing to order at 7:17 p.m.

Council President McCarthy asked if there was anyone present to speak in favor of Agenda Item 161-11 Public Hearing relative to the Establishment of an Annual Fixed Tax Payment for real property located at 1366 Railroad Avenue, Bridgeport Fuel Cell Park. No one came forward. Council President McCarthy asked again asked if there was anyone present to speak in favor of Agenda Item. No one came forward. He asked a third time if there was anyone present to speak in favor of Agenda Item. No one came forward.

Council President McCarthy asked if there was anyone present to speak in opposition to Agenda Item 161-11 Public Hearing relative to the Establishment of an Annual Fixed Tax Payment for real property located at 1366 Railroad Avenue, Bridgeport Fuel Cell Park. No one came forward. He asked again asked if there was anyone present to speak in opposition to the Agenda Item. No one came forward. Council President McCarthy asked a third time if there was anyone present to speak in opposition to the Agenda Item.

**** COUNCIL MEMBER PAOLETTO MOVED TO CLOSE THE PUBLIC HEARING ON AGENDA ITEM 161-11.**

**** COUNCIL MEMBER LYONS SECONDED.**

**** THE MOTION TO CLOSE THE PUBLIC HEARING ON AGENDA ITEM 161-11 PASSED UNANIMOUSLY.**

The public hearing on Agenda Item 161-11 was closed at 7:18 p.m.

COMMUNICATIONS TO BE REFERRED TO COMMITTEES:

08-12 Communication from OPED re: Proposed Resolution of the City Council regarding the Extension of the Duration of Controls of the Congress Plaza NDP Area No. 2 Urban Renewal Plan, referred to Economic and Community Development and Environment Committee.

**** COUNCIL MEMBER PAOLETTO MOVED TO REFER AGENDA ITEM 08-12 COMMUNICATION FROM OPED RE: PROPOSED RESOLUTION OF THE CITY COUNCIL REGARDING THE EXTENSION OF THE DURATION OF CONTROLS OF THE CONGRESS PLAZA NDP AREA NO. 2 URBAN RENEWAL PLAN, REFERRED TO ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT COMMITTEE.**

**** COUNCIL MEMBER LYONS SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

MATTERS TO BE ACTED UPON (CONSENT CALENDAR):

***162-11 Ordinance Committee Report re: Amendments to the Municipal Code of Ordinances, Chapter 15.08 Building Permits and Fees amend Section 15.08.010(A) Building permit and related fees.**

**** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE THE FOLLOWING ITEM AS THE CONSENT CALENDAR:**

162-11 ORDINANCE COMMITTEE REPORT RE: AMENDMENTS TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 15.08 BUILDING PERMITS AND FEES AMEND SECTION 15.08.010(A) BUILDING PERMIT AND RELATED FEES.

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION TO APPROVE THE CONSENT CALENDAR PASSED AS PRESENTED UNANIMOUSLY.**

UNFINISHED BUSINESS:

161-11 Economic and Community Development and Environment Committee Report re: Resolution Authorizing the Establishment of an Annual Fixed Tax Payment on real property at 1366 Railroad Avenue, Bridgeport Fuel Cell Park.

**** COUNCIL MEMBER Brantley MOVED AGENDA ITEM 161-11.**

**** COUNCIL MEMBER LYONS SECONDED.**

Council Member Olson said that voting against this would be like voting against motherhood. He said that he noticed for the record that only three of the seven members of the Ordinance Committee had been present to vote to bring the item to the floor. He said that approving this item would bring 65 million dollars to the City and that it would be using some currently vacant land. However, it was difficult for him to understand the \$250,000 yearly payment when he recently sold his house for an amount that was almost within \$100,000 of the yearly payment. He said that someone would be making a significant amount of money, but it wouldn't be Bridgeport.

Council President McCarthy explained that the start up for this plant is significant, but that the \$250,000 is the tax revenue on a vacant parcel. This green energy will help the City move forward.

Council Member dePara said that he had some questions about how the amount of \$250,000 had been determined. Mr. David Kooris, the OPED Director, came forward and said that there was a pro forma analysis done on the property. Mr. Bill Coleman, the OPED Neighborhood Development staff member, said that this project was part of a State project and part of 150 megawatt green energy project. This particular project is one of the initial pieces.

Mr. Coleman then reviewed the figures involved and how the Return on Investment along with the cost of development were calculated. Mr. Kooris said that one issue was that the City had compared the tax revenue from the fuel cell plant compared to other types of uses on the site.

Council Member dePara asked why the terms of the contract was 17 years. Mr. Kooris reviewed the details and said that construction will take 2 years. After 15 years, the City will review the contract and decided whether to continue with the firm. Council Member dePara said that with the rising cost of electricity, he had difficulty imagining how this would work. He said that he was having difficulty justifying the amount of \$250,000 per year for 17 years would be adequate.

Mr. Kooris then gave an overview of how Bridgeport would become the premiere site for how fuel cells work in the field. Discussion followed the details.

Council Member dePara asked why the evaluation would not be done after 5 years. Mr. Kooris said that during the 15 years, the operating costs would not change over the term of the contract.

Council Member Holloway then said that he had been on the Energy Steering Committee since 1998 and that the City was trying to get away from energy from other countries. He then spoke about the high pressure gas line that come to the City from New Orleans, Louisiana. However, the gas line is underground, so there are no taxes generated. The high voltage electric line that goes through the City is also underground. UI, CL&P and other utilities also have their lines underground. He said that this facility would pay taxes.

Council Member Brantley thanked Council Member Holloway for his information. She then said the fact that four Committee members were not present was not necessarily an indication that the Council Members were not in support. She added that the Council Members were encouraged to attend Committee meetings so that their concerns can be discussed by all.

Council Member Vizzo-Paniccia asked about the company that would be in charge of the fuel cell park, if there was something in the contract regarding if they chose not to renew, that someone would clean up the park. Mr. Kooris said that there have been assurances that the property would be left in good condition even if it was before the 17 years were up.

Council Member Vizzo-Paniccia asked for more details about the 17 year contract, which Mr. Kooris answered.

Council Member Vizzo-Paniccia said that she would like the investors who come into Bridgeport to see the fuel cell park to also invest in Bridgeport. Mr. Kooris said that he hoped to interest the investors in other Bridgeport projects.

Council Member Vizzo-Paniccia asked about the break out of taxes, which Mr. Kooris reviewed with her.

Council Member Lyons said that she wanted to point out that this property was a brown field. Bridgeport is always looking for people to clean up the brown fields and this company was willing to clean up the brown field. Council Member Lyons said that she thought that people would come to Bridgeport just to see the park and that is positive in itself. Clean energy is something that Bridgeport needs. The park will not give off a smell, noise or be a problem for the City.

Council Member dePara asked if the City would be supporting the fuel cell park. Mr. Frank Wolak of Fuel Cell in Danbury came forward to answer questions. Council Member dePara asked how \$250,000 per year the best that could be achieved. Mr. Wolak said that the economics of the project are set by the contract.

**** THE MOTION TO APPROVE AGENDA ITEM 161-11 ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT COMMITTEE REPORT RE: RESOLUTION AUTHORIZING THE ESTABLISHMENT OF AN ANNUAL FIXED TAX PAYMENT ON REAL PROPERTY AT 1366 RAILROAD AVENUE, BRIDGEPORT FUEL CELL PARK PASSED WITH TWELVE IN FAVOR (TAYLOR-MOYE, BRANTLEY, MCCARTHY, LYONS, VIZZO-PANICCIA, BONNEY, BLUNT, DEPARA, AYALA, PAOLETTO, BAKER AND HOLLOWAY) AND ONE OPPOSED (OLSON).**

ADJOURNMENT.

**** COUNCIL MEMBER BRANTLEY MOVED TO ADJOURN.
** COUNCIL MEMBER LYONS SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:45 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

City of Bridgeport
City Council
Special Meeting
December 10, 2012

**CITY OF BRIDGEPORT
CITY COUNCIL
NOTICE OF PUBLIC HEARING**

A Public Hearing will be held before the City Council of Bridgeport at a Special meeting to be held on Monday evening, December 10, 2012 beginning at 7:00 p.m., in the City Council Chamber, City Hall, 45 Lyon Terrace, Bridgeport, Connecticut, relative to the establishment of an annual Fixed Tax Payment for real property located at 1366 Railroad Avenue, Bridgeport Fuel Cell Park.

Attest:

Fleeta C. Hudson
City Clerk

AD ENDS ABOVE LINE

1 Edition, Connecticut Post:
PLEASE PUBLISH ON Tuesday, December 4, 2012

Requires Certification

Emailed to: Legal Ad Dept. at publicnotices@ctpost.com
P.O.: 13000241-00
Account #: 111171

Dated: December 3, 2012

Sent By:
Althea Williams
City Clerk's Office
45 Lyon Terrace
Bridgeport, CT 06604
(203) 576-7205
(203) 332-5608 (Fax)

cc: City Council Members
Mayor Bill Finch
A. Nunn, CAO
D. Kooris, Director, OPED
R. Pacacha, Associate City Attorney
B. Coleman, Director of Neighborhood Development



City of Bridgeport, Connecticut
OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
MARGARET E. MORTON GOVERNMENT CENTER

999 BROAD STREET
BRIDGEPORT, CONNECTICUT 06604
TELEPHONE: (203) 576-7221
FAX: (203) 332-5611

BILL FINCH
Mayor

DAVID M. KOORIS
Director

Comm.# 08-12 Ref'd to ECD & Environment Committee on 12/10/12
(Special Meeting).

December 5, 2012

HONORABLE BRIDGEPORT CITY COUNCIL
C/O OFFICE OF THE CITY CLERK
BRIDGEPORT CITY HALL
45 LYON TERRACE - ROOM #204
BRIDGEPORT, CT 06604

RE: Resolution of the City Council Regarding the
Extension of the Duration of Controls of the
Congress Plaza NDP Area No. 2 Urban
Renewal Plan

ATTACHED
CITY CLERK
2012 DEC -4 A 10:26
OFFICE RECEIVED

Dear Honorable Councilpersons:

The Congress Plaza NDP Area No. 2 Urban Renewal Plan ("Plan") will expire on December 31, 2012. The City of Bridgeport ("City") and the Bridgeport Redevelopment Agency (BRA) desire to extend its duration for an additional ten (10) year period to December 31, 2022. These controls are necessary to continue redevelopment activities within the Plan's boundaries.

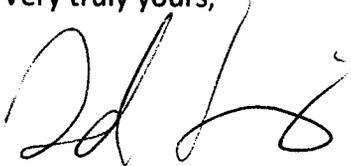
To this end, the Bridgeport Redevelopment Agency, at its meeting of November 9, 2012, approved a resolution requesting the Bridgeport City Council's approval of the attached resolution that seeks to extend the duration of controls of the Congress Plaza NDP Area No. 2 Urban Renewal Plan for an additional ten (10) year period. No other changes to this Plan are being proposed at this time.

In accordance with Connecticut General Statutes, a Public Hearing was held on November 26, 2012 having been duly noticed in the Connecticut Post on November 12 and November 21, 2012. Following the Public Hearing, the BRA approved the extension of the duration of the controls until December 31, 2022. The Planning and Zoning Commission conducted a C.G.S. Section 8-24 hearing on November 26, 2012 and voted to send a favorable recommendation to the City Council.

OPED staff will be available at your next Council Committee meeting when this item will be discussed. In the interim, should you have any questions, please feel free to contact David Kooris or Steve Tyliszczak by email at David.Kooris@bridgeportct.gov, Stephen.Tyliszczak@bridgeportct.gov or by phone at 203-576-7221.

Thank you in advance for your consideration of this resolution.

Very truly yours,

A handwritten signature in black ink, appearing to read 'D. Kooris', written in a cursive style.

David M. Kooris

Director

Pc: Bill Finch - Mayor (w/ attachment)
Andy Nunn - CAO (w/ attachment)
Stephen J. Tyliszczak – OPED
Ron Pacacha - Office of the City Attorney (w/ attachment)



City of Bridgeport, Connecticut
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BILL FINCH
Mayor

DAVID M. KOORIS
Director

**RESOLUTION OF THE BRIDGEPORT CITY COUNCIL
REGARDING THE EXTENSION OF THE DURATION OF CONTROLS
OF THE CONGRESS PLAZA NDP AREA NO. 2 URBAN RENEWAL PLAN**

WHEREAS, the City of Bridgeport ("City") adopted the **Congress Plaza NDP Area No.2 Urban Renewal Plan** ("Plan") in December of 1972 in order to facilitate a staged program for the rehabilitation and redevelopment of the Downtown Central Business District neighborhood; and

WHEREAS, the Bridgeport Redevelopment Agency ("BRA") and the City Council has from time to time considered and approved various amendments to the Plan, the most recent of which was on September 4, 2007; and

WHEREAS, in the forty (40) plus years that the Plan has been in existence, the BRA has utilized the powers of the Plan to make improvements in the Downtown Central Business District neighborhood and there are several redevelopment efforts on-going within the jurisdiction of said Plan; and

WHEREAS, the "Duration of Controls" of this Plan are set to expire on December 31, 2012; and

WHEREAS, the BRA at its meeting of November 9, 2012 Ordered a Public Hearing to be conducted on November 26, 2012 and subsequently, at its meeting of November 26, 2012, approved the extension of the duration of controls to December 31, 2022; and

WHEREAS, the BRA considered the proposed extension of the duration of controls and found that its adoption would not adversely harm any property owner or redeveloper; and

WHEREAS, all affected redevelopers within the Congress Plaza NDP Area No.2 Urban Renewal Plan were notified in writing of the proposed extension of the duration of controls and in addition, a public notice was published in the Connecticut POST newspaper on November 12, 2012 and November 21, 2012 and a public hearing was held on November 26, 2012 in accordance with Connecticut law; and

WHEREAS, the Bridgeport Planning & Zoning Commission ("P&ZC") found that the requested extension of the duration of controls of this Plan to be in compliance with the City's *Master Plan of Conservation & Development* and subsequently issued a C.G.S. Section 8-24 "favorable" report on this proposed action at their meeting on November 26, 2012; and

WHEREAS, the continuation of this Plan's objectives and powers supports and will be in the best interests of the City, redevelopers and these on-going redevelopment efforts.

NOW, THEREFORE, BE IT RESOLVED that the Bridgeport City Council hereby acknowledges the value of this Plan to the redevelopment efforts of the Downtown Central Business District neighborhood and approves the extension of the duration of controls of the Congress Plaza NDP Area No.2 Urban Renewal Plan and this resolution to extend the duration of controls for a period of ten (10) years to December 31, 2022.

BE IT FURTHER RESOLVED that the Mayor or his designee are authorized to execute any and all documentation, take all actions and do all things necessary to implement the intent of the resolution of the Bridgeport City Council.

c:/oped/sjt/BRA/CongPlazaNDP#2Renewal/CouncilResolution/ 11.26.12

***162-11 Consent Calendar**

Amendments to the Municipal Code of Ordinance, Chapter
15.08 Building Permits and Fees amend Section
15.08.010(A) Building permit and related fees.

**Report
of
Committee
on
Ordinances**

Submitted: December 10, 2012 (Special Meeting)

Adopted: _____

Fleeta C Hudson

Attest: _____

City Clerk

Approved _____

Mayor



City of Bridgeport, Connecticut

To the City Council of the City of Bridgeport.

The Committee on **Ordinances** begs leave to report; and recommends for adoption the following resolution:

***162-11 CONSENT CALENDAR**

WHEREAS, Section 29-263(c) of the Connecticut General Statutes authorizes a municipality, by ordinance adopted by its legislative body, to exempt Class I renewable energy source projects from payment of building permit fees imposed by the municipality;

WHEREAS, the City believes that the construction of renewable energy source projects are to be encouraged in the City of Bridgeport;

WHEREAS, the City believes that exempting such renewable energy source projects from the payment of building permit fees is appropriate given that installations of such projects generally involve the placement and connection of equipment only; and

WHEREAS, the City believes that exempting such projects from the payment of building permit fees will not compromise or diminish the ability of the Building Department to perform its obligations under the law; Now, Therefore

BE IT ORDAINED: By the City Council of the City of Bridgeport that the Bridgeport Municipal Code of Ordinances, Chapter 15.08 Building Permits and Fees, Section 15.08.010(A) Building permit and related fees is hereby amended as follows:

15.08.010 Building permit and related fees.

A. Generally, Chapter 1, Fees, of the State Building Code shall be complied with. Except as set forth in subsections F, G, H, I and J of this section relating to pending school building projects, building permit fees as set forth in subsections A, B, and C of this section shall be applicable to all permits issued by the building department. Fees shall not apply to permits issued for municipal work performed by municipal employees **or for Class I renewable energy projects as defined in Section 16-1(a)(26) of the Connecticut General Statutes, as the same may be amended from time to time. Only those items of construction, such as but not limited to footings and foundations, necessary to support the Class I renewable energy project, but not the renewable energy features and equipment of the Class I project, shall be subject to building permit fees.**

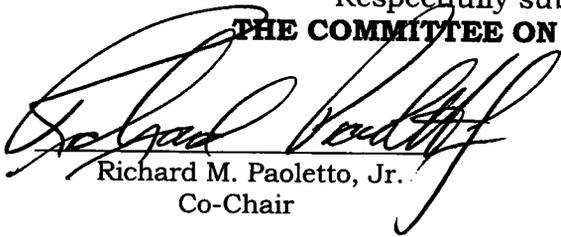
Effective Date: This change shall be effective upon publication

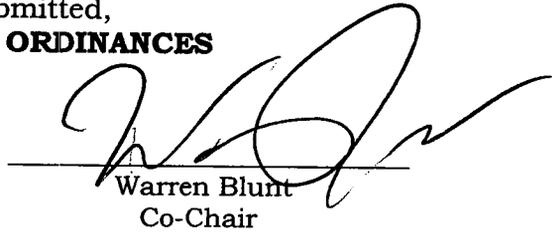


Report of Committee on Ordinances
***162-11 CONSENT CALENDAR**

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Respectfully submitted,
THE COMMITTEE ON ORDINANCES


Richard M. Paoletto, Jr.
Co-Chair

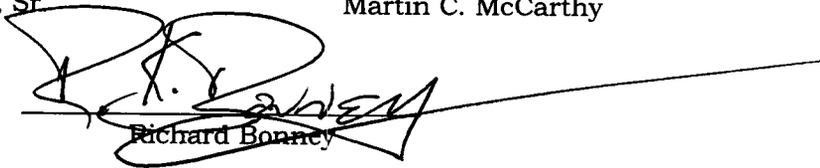

Warren Blunt
Co-Chair

Lydia N. Martinez

Robert P. Curwen, Sr.

Howard Austin, Sr.

Martin C. McCarthy


Richard Bonney

City Council Date: December 10, 2012 (Special Meeting)

Resolution authorizing the establishment of an annual
Fixed Tax Payment on Real Property at 1366 Railroad
Avenue, Bridgeport Fuel Cell Park.

**Report
of
Committee
on
CEA & Environment**

**Submitted: December 3, 2012 (OFF THE FLOOR)
Tabled by Full Council on December 3, 2012
Resubmitted: December 10, 2012 (Special Meeting)**

Adopted: _____
Attest: *Fleeta C Hudson* _____
City Clerk

Approved _____

Mayor



City of Bridgeport, Connecticut

To the City Council of the City of Bridgeport.

The Committee on **ECD and Environment** begs leave to report;
and recommends for adoption the following resolution:

161-11

**A Resolution by the Bridgeport City Council
Authorizing the
Establishment of an annual Fixed Tax Payment
on Real Property at 1366 Railroad Avenue
Bridgeport Fuel Cell Park**

WHEREAS, on August 4, 1997, the Bridgeport City Council authorized the City's Director of the Office of Planning and Economic Development to negotiate and execute agreements to transfer properties in the West End Municipal Development Plan Area for the purposes of industrial and commercial development; and

WHEREAS, the City wishes to transfer an approximately 2-acre parcel of land at 1366 Railroad Avenue so that it may be developed as a 14 megawatt Fuel Cell Power Plant (the "Project"); and

WHEREAS, at the time of its scheduled construction, the proposed Fuel Cell Power Plant would be the largest fuel cell installation in the world; and

WHEREAS, the Fuel Cell Power Plant represents an approximately \$65 million investment in the City's West End; and

WHEREAS, the private capital to be attracted to the Project will require a favorable rate of return over a seventeen year period; and

WHEREAS, the City's review of the Project's financial model using the services of the City's consultant, the National Development Council ("NDC"), indicates that the Project cannot provide the required rate of private investor return if it is taxed at full assessment; and



Report of Committee on ECD and Environment
161-11

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WHEREAS, the establishment of a fixed annual tax payment of \$250,000 over a seventeen year period will allow the project the predictable cash flow it needs to attract the required capital; and

WHEREAS, the property is to be ground-leased at appraised value;
and

WHEREAS, the City currently receives no taxes from this property;
and

WHEREAS, the property is a brown-field and it is the City's policy to support the cleaning of brown-fields and the development of renewable energy facilities; and

WHEREAS, the Office of Planning and Economic Development has determined that the proposed project is eligible for consideration under the City's Tax Incentive Development Program as per Chapter 3.20 of the Bridgeport Municipal Code and as per Section 7-498 of the Connecticut General Statutes; Now, Therefore, be it

RESOLVED, that the Mayor or the Director of the Office of Planning and Economic Development or their designee is authorized to enter into an Agreement substantially in accord with this resolution; and be it further

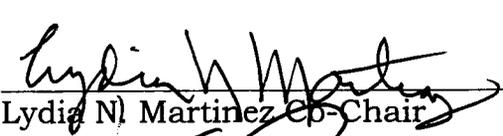
RESOLVED, that the Mayor or the Director of the Office of Planning and Economic Development or their designee is authorized to negotiate and execute such other agreements and take such other necessary or desirable actions in furtherance of the Project and consistent with this resolution as they may deem to be in the best interests of the City.

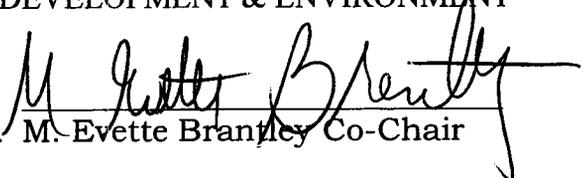


Report of Committee on ECD and Environment
161-11

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RESPECTFULLY SUBMITTED,
THE COMMITTEE ON
ECONOMIC AND COMMUNITY DEVELOPMENT & ENVIRONMENT

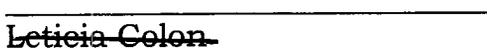

Lydia N. Martinez Co-Chair


M. Evette Brantley Co-Chair


Warren Blunt

Robert Curwen, Sr.


Michelle A. Lyons


~~Leticia Colon~~

Martin McCarthy

Council Date: December 3, 2012 (OFF THE FLOOR)
Tabled by Full Council on 12/3/2012
Resubmitted on December 10, 2012 (Special Meeting)