

**CITY OF BRIDGEPORT**  
**CITY COUNCIL SPECIAL MEETING**  
**MONDAY, MARCH 22, 2021**

**5:30 P.M.**

This meeting was conducted by Zoom/Teleconference.

**CALL TO ORDER**

Council President Nieves called the Special Meeting of the City Council to order at 5:34 p.m.

**PRAYER**

Council President Nieves asked Council Member McBride-Lee to lead the Council in prayer.

**PLEDGE OF ALLEGIANCE**

Council President Nieves asked Council Member Cruz to lead those present in reciting the Pledge of Allegiance.

**ROLL CALL**

The City Clerk Lydia Martinez called the roll.

130<sup>th</sup> District: Scott Burns, Matthew McCarthy  
131<sup>st</sup> District: Denese Taylor-Moye, Jorge Cruz  
132<sup>nd</sup> District: Marcus Brown, M. Evette Brantley  
133<sup>rd</sup> District: Michael DeFilippo, Jeanette Herron  
134<sup>th</sup> District: Michelle Lyons, AmyMarie Vizzo-Paniccia  
135<sup>th</sup> District: Rosalina Roman-Christy, Mary McBride-Lee  
136<sup>th</sup> District: Alfredo Castillo, Avelino Silva  
137<sup>th</sup> District: Maria Valle, Aidee Nieves  
138<sup>th</sup> District: Maria Pereira, Samia Suliman  
139<sup>th</sup> District: Eneida Martinez, Ernest Newton

During the roll call, there appeared to be no response from the individuals whose names are listed in italics.

**ITEM FOR IMMEDIATE CONSIDERATION:**

**38-20 Communication from City Attorney re: Proposed Settlement of Pending Litigation for Financial Restitution from Former City Employees Armando Perez and David Dunn (United States v. Armando J. Perez, 3:20-cr-00180-KAD-1 and United States v. David Dunn, 3:20-cr-00181-KAD-1), FOR IMMEDIATE CONSIDERATION.**

(This item regarding pending litigation is appropriate for and may be discussed, in whole or in part, in executive session)

**\*\* COUNCIL MEMBER HERRON MOVED FOR IMMEDIATE CONSIDERATION OF AGENDA ITEM 38-20 COMMUNICATION FROM CITY ATTORNEY RE: PROPOSED SETTLEMENT OF PENDING LITIGATION FOR FINANCIAL RESTITUTION FROM FORMER CITY EMPLOYEES ARMANDO PEREZ AND DAVID DUNN (UNITED STATES V. ARMANDO J. PEREZ, 3:20-CR-00180-KAD-1 AND UNITED STATES V. DAVID DUNN, 3:20-CR-00181-KAD-1) DUE TO TIME CONSTRAINTS.**

**\*\* COUNCIL MEMBER NEWTON SECONDED.**

**\*\* THE MOTION TO APPROVE IMMEDIATE CONSIDERATION OF AGENDA ITEM 38-20 COMMUNICATION FROM CITY ATTORNEY RE: PROPOSED SETTLEMENT OF PENDING LITIGATION FOR FINANCIAL RESTITUTION FROM FORMER CITY EMPLOYEES ARMANDO PEREZ AND DAVID DUNN (UNITED STATES V. ARMANDO J. PEREZ, 3:20-CR-00180-KAD-1 AND UNITED STATES V. DAVID DUNN, 3:20-CR-00181-KAD-1) DUE TO TIME CONSTRAINTS PASSED WITH EIGHTEEN (18) IN FAVOR (BURNS, MCCARTHY, CRUZ, TAYLOR-MOYE, BROWN, BRANTLEY, HERRON, DEFILIPPO, LYONS, VIZZO-PANICCIA, MCBRIDE-LEE, ROMAN-CHRISTY, SILVA, CASTILLO, VALLE, SULIMAN, MARTINEZ, AND NEWTON) AND ONE (1) OPPOSED (PEREIRA).**

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED TO ENTER EXECUTIVE SESSION IN ORDER TO DISCUSS PENDING LITIGATION REGARDING AGENDA ITEM 38-20 COMMUNICATION FROM CITY ATTORNEY RE: PROPOSED SETTLEMENT OF PENDING LITIGATION FOR FINANCIAL RESTITUTION FROM FORMER CITY EMPLOYEES ARMANDO PEREZ AND DAVID DUNN (UNITED STATES V. ARMANDO J. PEREZ, 3:20-CR-00180-KAD-1 AND UNITED STATES V. DAVID DUNN, 3:20-CR-00181-KAD-1) WITH THE CITY COUNCIL MEMBERS, THE CITY ATTORNEYS AND REPRESENTATION THEY HAVE DOCUMENTED FOR THIS PURPOSE.**

**\*\* COUNCIL MEMBER BRANTLEY SECONDED.**

Council President Nieves noted for the record that the attorneys requested to join the Executive Session were: City Attorney Christopher Meyer, Atty. Mark Anastasi, Atty. John Bohannon, and Atty. James Devita.

Council Member Pereira said that former Police Chief Perez was arrested and his arrest became national news. The people who will ultimately pay the price are the taxpayers. Council Member Pereira said that she opposes entering into Executive Session because she wants her constituents to hear how their taxpayer dollars were being used. For that reason, she was opposed to entering Executive Session.

**\*\* THE MOTION TO ENTER EXECUTIVE SESSION IN ORDER TO DISCUSS PENDING LITIGATION REGARDING AGENDA ITEM 38-20 COMMUNICATION FROM CITY ATTORNEY RE: PROPOSED SETTLEMENT OF PENDING LITIGATION FOR FINANCIAL RESTITUTION FROM FORMER CITY EMPLOYEES**

**ARMANDO PEREZ AND DAVID DUNN (UNITED STATES V. ARMANDO J. PEREZ, 3:20-CR-00180-KAD-1 AND UNITED STATES V. DAVID DUNN, 3:20-CR-00181-KAD-1) WITH THE CITY COUNCIL MEMBERS, THE CITY ATTORNEYS AND REPRESENTATION THEY HAVE DOCUMENTED FOR THIS PURPOSE PASSED WITH EIGHTEEN (18) IN FAVOR (BURNS, MCCARTHY, CRUZ, TAYLOR-MOYE, BROWN, BRANTLEY, HERRON, DEFILIPPO, LYONS, VIZZO-PANICCIA, MCBRIDE-LEE, ROMAN-CHRISTY, SILVA, CASTILLO, VALLE, SULIMAN, MARTINEZ, AND NEWTON) AND ONE (1) OPPOSED (PEREIRA).**

The Council Members and the attorneys returned to public session at 7:56 p.m. No motions were made or actions taken during the Executive Session.

*Council Member Martinez and Council Member Castillo left the meeting during the Executive Session.*

**\*\* COUNCIL MEMBER BROWN MOVED THAT THE CITY COUNCIL BE THEREFORE RESOLVED THAT ATTORNEY JAMES DEVITA AND CITY ATTORNEY CHRIS MEYER ARE HEREBY AUTHORIZED AND EMPOWERED TO:**

**1. PROCEED WITH SETTLEMENT OF THIS MATTER IN ACCORDANCE WITH THE EXPERT PROFESSIONAL RECOMMENDATIONS PRESENTED BY ATTORNEY DEVITA AND CONCURRED WITH BY CITY ATTORNEY MYER TO THE CITY COUNCIL THIS EVENING IN EXECUTIVE SESSION.**

**2. NOTIFY LEGAL COUNSEL REPRESENTING MR. PEREZ AND MR. DUNN AND THE APPROPRIATE FEDERAL AUTHORITIES THAT THE CITY ACCEPTS THE OFFER OF AN ADDITIONAL \$150,000 PAYABLE JOINTLY AND SEPARATELY FOR A TOTAL PAYMENT OF RESTITUTION TO THE CITY IN THE AMOUNT OF \$299,407.00 IN FULL AND FINAL SETTLEMENT OF THE CITY'S CLAIM FOR RESTITUTION AND**

**3. EXECUTE SUCH DOCUMENTATION WITH THE FEDERAL COURT AND LEGAL COUNSEL FOR MR. PEREZ AND MR. DUNN AS REQUESTED TO EFFECTUATE AND IMPLEMENT THE SETTLEMENT.**

**\*\* COUNCIL MEMBER CRUZ SECONDED.**

Council Member Pereira said that she would like to note for the record that her constituents along with other residents of Bridgeport had been contacting her about this settlement and encouraging her to vote no. She said it was appalling that they were somewhere in the nature of \$750,000 in cost already with two major lawsuits from Captain Porter and former Deputy Chief Nardozzi. Accepting this settlement that has already been made public as \$300,000 in restitution will leave the taxpayers on the hook for costs in the range of \$1 million to \$1.5 dollars based on what will happen with those two lawsuits.

Council Member Pereira said that for all those reasons, she believed they should make full restitution even if it entailed foreclosing on their homes because they deserve it. They betrayed the citizens of Bridgeport.

Council Member McCarthy said that they had just spent 2 1/2 hours listening to the City Attorneys explain this. He said that when he came on to the Council in 2019, he wanted some type of legal counsel for the City Council. He said it would be important to have a non-biased legal counsel to guide them with these decisions they have to make. He said that there were some additional costs and felt that the Council should try to have those covered, also. Council Member McCarthy said that the message they were sending was that if people were going to be corrupt and cheat the City, the city could come after them to the fullest extent. This was letting them off easily.

Council Member Burns said that there was no good resolution for this, but if they were able to gain some restitution from the two individuals, it would be a gain for the City. People should vote their conscience.

Council Member Newton said that people have been bringing in subjects that were not germane to the issue. The courts will never allow people to pay the costs for other plaintiffs. Receiving \$300,000 is more than they have now. Turning down the restitution in the hopes of recouping more money is not right and the courts will not go for it. No court will make one person pay for the sins of another individual. The courts will not make the individual pay more than they are able. The court will not put liens on the individuals' houses or other assets. The attorneys are advising the Council to go with what they can get.

Council Member Cruz said that he was conflicted but he is a reasonable man who follows due process and tries to make reasonable decisions.

Council Member Cruz said that he had not received any calls about this issue but did receive far more feedback on the issue of vaping. What former Chief Perez and Mr. Dunn did was wrong, but their families don't deserve to be punished. The State Attorney is dealing with their pensions. The City Attorneys have recommended that this is the best they can get right now. Council Member Cruz said that he agreed with Council Member McCarthy, but was going to vote for the item because this man served the City for 36 years. Council Member Cruz said that he was not out to destroy this man completely. He's been arrested, shamed and embarrassed. Former Chief Perez got caught up in his own demise. Council Member Cruz said that he would be voting his conscience. Council Member Cruz said that he might not like this, but would be voting yes.

Council Member Herron said that making a decision like this is hard. Everyone makes mistakes. There are a number of attorneys working on this and the Council has been presented with choices, but if they go to court there are no guarantees that the City would be given anything. This is a guaranteed arrangement. Council Member Herron said that she doesn't like the choice, but they need to do what is best for the City.

Council President Nieves explained that Atty. Devita has a specific role in this matter. She then asked Atty. Devita to clarify his role in this case.

Atty. Devita said that he represents the City of Bridgeport, not the City administration or the City Attorney's Office. While his point of contact is the City Attorney's Office for the conduit of information, he represents the City, not any individual part of the City government.

Council Member McCarthy said that Atty. Devita said that he was representing the City of Bridgeport. Council Member McCarthy said that he believed Atty. Devita's invoices are paid out of the City Attorney's Office budget.

Council Member Pereira said that when someone commits corruption, it is not a mistake. This was something that was planned and steps were orchestrated to facilitate the corruption. A mistake is when one gets up early in the dark and puts a navy and black sock on, which you do not realize until you leave the house. That's a mistake, not corruption.

Council President Nieves reminded everyone to be respectful of others' opinions during the process.

**\*\* THE MOTION TO APPROVE THE FOLLOWING:**

**THAT THE CITY COUNCIL BE THEREFORE RESOLVED THAT ATTORNEY JAMES DEVITA AND CITY ATTORNEY CHRIS MYER ARE HEREBY AUTHORIZED AND EMPOWERED TO:**

**1. PROCEED WITH SETTLEMENT OF THIS MATTER IN ACCORDANCE WITH THE EXPERT PROFESSIONAL RECOMMENDATIONS PRESENTED BY ATTORNEY DEVITA AND CONCURRED WITH BY CITY ATTORNEY MYER TO THE CITY COUNCIL THIS EVENING IN EXECUTIVE SESSION.**

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**3. EXECUTE SUCH DOCUMENTATION WITH THE FEDERAL COURT AND LEGAL COUNSEL FOR MR. PEREZ AND MR. DUNN AS REQUESTED TO EFFECTUATE AND IMPLEMENT THE SETTLEMENT.**

**PASSED WITH FIFTEEN (15) VOTES IN FAVOR ((BURNS, CRUZ, TAYLOR-MOYE, BROWN, BRANTLEY, HERRON, DEFILIPPO, LYONS, VIZZO-PANICCIA, MCBRIDE-LEE, ROMAN-CHRISTY, SILVA, VALLE, NIEVES AND NEWTON) AND THREE (3) OPPOSED (MCCARTHY, PEREIRA AND SULIMAN).**

**ADJOURNMENT**

- \*\* COUNCIL MEMBER NEWTON MOVED TO ADJOURN.**
- \*\* COUNCIL MEMBER MCBRIDE-LEE SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:16 p.m.

Respectfully submitted,

Telesco Secretarial Services