

CITY COUNCIL MEETING

PUBLIC SPEAKING FORUM

MONDAY, AUGUST 2, 2021

6:30 P.M.

This meeting will be conducted by Zoom/Teleconference.

CALL TO ORDER.

Council President Nieves called the Public Speaking portion of the meeting to order at 6:34 p.m.

ROLL CALL

The City Clerk Lydia Martinez called the roll.

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

Council President Nieves announced that Council Member Vizzo-Paniccia had an excused absence.

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

Council President Nieves announced that there was a 3-minute time limit for each speaker and explained how to mute and unmute their devices.

THE FOLLOWING NAMED PERSON HAS REQUESTED PERMISSION TO ADDRESS THE CITY COUNCIL ON MONDAY, AUGUST 2, 2021 AT 6:30 P.M. THIS MEETING WILL BE CONDUCTED BY ZOOM/TELECONFERENCE.

NAME

Adriana Aristy
73 Pennsylvania Avenue
Bridgeport, CT 06610

SUBJECT

Fifth State Distillery including conduct of
Bill Coleman at Remonstrance Hearing.

Council President Nieves called for Ms. Aristy to address the Council. There was no response.

Council Member Pereira said that Ms. Aristy had signed up to speak in July and her name had been forwarded to the August speakers list.

ADJOURNMENT

Council President Nieves adjourned the meeting at 7:38 p.m.

Respectfully submitted,

Telesco Secretarial Services

CITY OF BRIDGEPORT
CITY COUNCIL MEETING
MONDAY, AUGUST 2, 2021

7:00 P.M.

This meeting was conducted by teleconference.

The public was able to listen to this meeting by calling a conference line.

CALL TO ORDER

Council President Nieves called the Regular Meeting of the City Council to order at 7:00 p.m.

PRAYER

Council President Nieves asked Council Member Newton to lead the Council in prayer.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

The City Clerk Lydia Martinez called the roll.

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

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

Council President Nieves announced that Council Member Vizzo-Paniccia had an excused absence.

MINUTES FOR APPROVAL:

• **June 7, 2021**

**** COUNCIL MEMBER MARTINEZ MOVED THE MINUTES OF THE JUNE 7, 2021 COUNCIL MEETING.**

**** COUNCIL MEMBER HERRON SECONDED.**

**** THE MOTION TO APPROVE THE MINUTES OF THE JUNE 7, 2021 COUNCIL MEETING PASSED UNANIMOUSLY.**

COMMUNICATIONS TO BE REFERRED TO COMMITTEES:

95-20 Communication from City Attorney re: Proposed Settlement of Pending Litigation with Sasha Collins, referred to Miscellaneous Matters Committee.

96-20 Communication from City Attorney re: Proposed Settlement of Pending Litigation with Dwayne McBride, referred to Miscellaneous Matters Committee.

97-20 Communication from Public Facilities re: Proposed Resolution regarding the “2021” First Round of Sidewalk Repair Pilot Program, referred to Public Safety and Transportation Committee.

99-20 Communication from Central Grants re: Grant Submission: Department of Justice – BJA FY21 Local Law Enforcement Crime Gun Intelligence Center Integration Initiative (#22338), referred to Public Safety and Transportation Committee.

100-20 Communication from Central Grants re: Grant Submission: Connecticut Department of Transportation – Local Bridge Program – Woodrow Avenue Bridge (#0C203), referred to Public Safety and Transportation Committee.

101-20 Communication from Central Grants re: Grant Submission: U. S. Department of Justice FY 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) Program (#22312), referred to Public Safety and Transportation Committee.

102-20 Communication from Central Grants re: Grant Submission: State of Connecticut Department of Children and Families – Youth Services Bureau Enhancement Grant (#22540), referred to Economic and Community Development and Environment Committee.

106-20 Communication from City Attorney re: Nomination of Ebony Jackson-Shaheed for Appointment to the City's Director of Health Position, referred to Contracts Committee.

108-20 Communication from City Attorney re: Proposed Resolution regarding the Internship Agreements with Sacred Heart University, referred to Contracts Committee.

**** COUNCIL MEMBER MARTINEZ MOVED TO CONSOLIDATE AND REFER THE FOLLOWING ITEMS TO THE APPROPRIATE COMMITTEES :**

95-20 COMMUNICATION FROM CITY ATTORNEY RE: PROPOSED SETTLEMENT OF PENDING LITIGATION WITH SASHA COLLINS, REFERRED TO MISCELLANEOUS MATTERS COMMITTEE.

96-20 COMMUNICATION FROM CITY ATTORNEY RE: PROPOSED SETTLEMENT OF PENDING LITIGATION WITH DWAYNE MCBRIDE, REFERRED TO MISCELLANEOUS MATTERS COMMITTEE.

97-20 COMMUNICATION FROM PUBLIC FACILITIES RE: PROPOSED RESOLUTION REGARDING THE "2021" FIRST ROUND OF SIDEWALK REPAIR PILOT PROGRAM, REFERRED TO PUBLIC SAFETY AND TRANSPORTATION COMMITTEE.

99-20 COMMUNICATION FROM CENTRAL GRANTS RE: GRANT SUBMISSION: DEPARTMENT OF JUSTICE – BJA FY21 LOCAL LAW ENFORCEMENT CRIME GUN INTELLIGENCE CENTER INTEGRATION INITIATIVE (#22338), REFERRED TO PUBLIC SAFETY AND TRANSPORTATION COMMITTEE.

100-20 COMMUNICATION FROM CENTRAL GRANTS RE: GRANT SUBMISSION: CONNECTICUT DEPARTMENT OF TRANSPORTATION – LOCAL BRIDGE PROGRAM – WOODROW AVENUE BRIDGE (#0C203), REFERRED TO PUBLIC SAFETY AND TRANSPORTATION COMMITTEE.

101-20 COMMUNICATION FROM CENTRAL GRANTS RE: GRANT SUBMISSION: U. S. DEPARTMENT OF JUSTICE FY 2021 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM (#22312), REFERRED TO PUBLIC SAFETY AND TRANSPORTATION COMMITTEE.

102-20 COMMUNICATION FROM CENTRAL GRANTS RE: GRANT SUBMISSION: STATE OF CONNECTICUT DEPARTMENT OF CHILDREN AND FAMILIES – YOUTH SERVICES BUREAU ENHANCEMENT GRANT

(#22540), REFERRED TO ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT COMMITTEE.

106-20 COMMUNICATION FROM CITY ATTORNEY RE: NOMINATION OF EBONY JACKSON-SHAHEED FOR APPOINTMENT TO THE CITY'S DIRECTOR OF HEALTH POSITION, REFERRED TO CONTRACTS COMMITTEE.

108-20 COMMUNICATION FROM CITY ATTORNEY RE: PROPOSED RESOLUTION REGARDING THE INTERNSHIP AGREEMENTS WITH SACRED HEART UNIVERSITY, REFERRED TO CONTRACTS COMMITTEE.

**** COUNCIL MEMBER BRANTLEY SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

CONSENT CALENDAR

***84-20 Economic and Community Development and Environment Committee Report re: Grant Submission: Southwestern Connecticut Agency on Aging (SWCAA) – Title III Funding Older Americans Act Grant Program – Elderly Hispanic Program (#22270).**

***85-20 Economic and Community Development and Environment Committee Report re: Grant Submission: Southwestern Connecticut Agency on Aging (SWCAA) – Title III Funding Older Americans Act Grant Program – Bridgeport Senior Center Recreational Activities Program (#22533).**

Council President Nieves asked if any Council Member wished to have an item removed from the Consent Calendar. Hearing none, the City Clerk read the items into the record.

**** COUNCIL MEMBER BRANTLEY MOVED THE FOLLOWING CONSENT CALENDAR:**

***84-20 ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT COMMITTEE REPORT RE: GRANT SUBMISSION: SOUTHWESTERN CONNECTICUT AGENCY ON AGING (SWCAA) – TITLE III FUNDING OLDER AMERICANS ACT GRANT PROGRAM – ELDERLY HISPANIC PROGRAM (#22270).**

***85-20 ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT COMMITTEE REPORT RE: GRANT SUBMISSION: SOUTHWESTERN CONNECTICUT AGENCY ON AGING (SWCAA) – TITLE**

III FUNDING OLDER AMERICANS ACT GRANT PROGRAM – BRIDGEPORT SENIOR CENTER RECREATIONAL ACTIVITIES PROGRAM (#22533).

**** COUNCIL MEMBER HERRON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

MATTERS TO BE ACTED UPON:

83-20 Public Safety and Transportation Committee Report re: Appointment of Glen I. Pettway (D) to the Fire Commission.

**** COUNCIL MEMBER CRUZ MOVED AGENDA ITEM 83-20 PUBLIC SAFETY AND TRANSPORTATION COMMITTEE REPORT RE: APPOINTMENT OF GLEN I. PETTWAY (D) TO THE FIRE COMMISSION.**

**** COUNCIL MEMBER MARTINEZ SECONDED.**

Council Member Pereira said that Chapter 5 requires a roll call vote on any appointments to a Board or Commission.

Council Member Pereira said that she was opposing the nomination for a number of reasons. At the Committee meeting, Rev. Pettway was present and Council Member Pereira said she asked him a number of specific questions. She stated that she had asked Rev. Pettway if he had an immediate member of the family on the Fire Department and Rev. Pettway replied that he did. She then stated she had asked him to abstain on any matter that came before the Committee regarding his immediate family member. Council Member Pereira stated that Rev. Pettway replied that he would not recuse himself because he was there to do a job. This is outrageous and a violation of the Ethics Ordinance. Rev. Pettway was insistent about the issue.

Council Member Pereira said that in addition, Rev. Pettway served on the CDBG Committee because he was appointed by one of his Council Members and he had very poor attendance at the meetings. She added that he had missed a major meeting involving a \$2 million dollar funding appropriation.

Council Member Pereira said that she would not be supporting his appointment for those reasons and that the City needs ethical, transparent, honest government and this includes the Commissions.

Council Member Cruz said that he was asking his fellow Council Members to support Rev. Pettway's nomination. He said that Rev. Pettway was a gentleman and had transformed his life, as many others have. Rev. Pettway is loved and respected.

Council Member Newton said that he was supporting Rev. Pettway, who he grew up with. Council Member Newton said that he had seen many things and that everyone had come up short. The Bible says that no one is perfect. Rev. Pettway has worked hard and had made mistakes, just like everyone else. At the Committee interview, there were questions that were asked of him that are only asked of those who are black or brown.

Council Member Newton noted that there were City Attorneys on the call and if they felt that Rev. Pettway was involved in a conflict of interest, they would say so. The questions that were asked of Rev. Pettway were unbelievable.

Council Member Roman-Christy said that she had joined the meeting at 7:11 p.m.

Council Member Martinez said that it was an honor and privilege to speak on Rev. Pettway's behalf for he has worked on behalf of the community, with the homeless, with the children.

Council Member Martinez commented that Rev. Pettway had lost a number of family members in the last year and his absence at the meetings might have been due to those family losses.

Council Member McBride-Lee said that in 1964 and 1965 she marched for equality and she was feeling insulted because Council Member Pereira treated Rev. Pettway differently than anyone else. She said that Council Member Pereira was a racist and had insinuated that Rev. Pettway was not ethical.

Council Member Herron said she was co-chair of the CDBG Committee and noted that most of the meetings are held within the space of a week or two. She noted that Rev. Pettway had contracted COVID but had been able to attend one of the meetings for a brief time. However, even though he had not been able to stay on the call long, he had done his work. She said that she was disheartened about this because the candidates for Boards and Commissions should not be abused.

Council Member Brantley said that she was appalled with the slander against people coming for appointment to the Committees. She said that God does not like that and the individual will have to answer for it. The Pettway family is well known in the community and individuals should not be calling out the various candidate's names. She suggested that there needs to be some training for the Council Members on how to treat individuals.

Council Member Lyons said that she had joined the meeting at 7:08 p.m.

Council Member Pereira said that no one was owed or entitled to any position regardless of whether it is appointed or elected. No one was slandered, made racist comments or called anyone names. Regardless of whether it is a City Council Member or a Commissioner, anyone who

votes on a matter that directly impacts the individual or a family member, it is unethical and a violation of the Ethics Ordinance and that's a factual statement.

Council Member Pereira said that she had supported and praised individuals who have been presented as candidates for Commissions, including Ms. Hall who was appointed to the Food Policy Council. This is a lot of nonsense and it is not resonating because people speak about this to Council Member Pereira all the time. This is hogwash, that is what it is. Council Member Pereira stated that her vote was her vote and she would cast it as she wishes.

Council Member Taylor-Moye said that the Council Members had expressed their opinions and she agreed with them. She said that she didn't know what the problem was because Rev. Pettway had explained himself at the Committee, but people keep hammering at the idea. When things are implied, people hear it and it causes great harm. The Council Members and Committee candidates should not have to defend themselves. She said that it grieves her heart when people have to defend themselves when there are deaths in the family or people are ill.

Council Member McBride-Lee said that she would like to say something on behalf of the black community and people should not take the word of a racist.

Council Member Brantley requested a roll call vote.

**** THE MOTION TO APPROVE AGENDA ITEM 83-20 PUBLIC SAFETY AND TRANSPORTATION COMMITTEE REPORT RE: APPOINTMENT OF GLEN I. PETTWAY (D) TO THE FIRE COMMISSION PASSED WITH SIXTEEN (16) IN FAVOR (BURNS, MCCARTHY, CRUZ, TAYLOR-MOYE, BROWN, BRANTLEY, HERRON, LYONS, MCBRIDE-LEE, ROMAN-CHRISTY, SILVA, CASTILLO, VALLE, NIEVES, SULIMAN, MARTINEZ AND NEWTON) AND ONE (1) OPPOSED (PEREIRA).**

UNFINISHED BUSINESS:

59-20 Economic and Community Development and Environment Committee Report re: Resolution Authorizing the Disposition of Three (3) City-Owned Properties.

**** COUNCIL MEMBER BRANTLEY MOVED TO TABLE AGENDA ITEM 59-20 ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT COMMITTEE REPORT RE: RESOLUTION AUTHORIZING THE DISPOSITION OF THREE (3) CITY-OWNED PROPERTIES.**

**** COUNCIL MEMBER HERRON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Council President Nieves stated that Michael DeFilippo had resigned his position on the Council and the candidate was not available to come before the Council tonight.

****COUNCIL MEMBER NEWTON MOVED TO SUSPEND THE RULES TO ADD AN ITEM TO THE AGENDA FOR THE PURPOSES OF REFERRAL TO ORDINANCE COMMITTEE.**

**** COUNCIL MEMBER CRUZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER NEWTON MOVED TO REFER AN ITEM TO ORDINANCE COMMITTEE REGARDING THE USE OF PRIVATE SERVERS (PROPOSED AMENDMENTS TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 2.06 – COMMON COUNCIL, AMEND TO ADD NEW SECTION 2.06.080 – MANDATORY USE OF CITY ASSIGNED WEB ADDRESS FOR CITY COUNCIL BUSINESS EMAILS)**

**** COUNCIL MEMBER MARTINEZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY. (ITEM #109-20)**

**** COUNCIL MEMBER MARTINEZ MOVED TO SUSPEND THE RULES AND TO ASSIGN COUNCIL MEMBERS TO THE COMMITTEES TO FILL THE VACANCIES LEFT BY MR. DEFILIPPO'S RESIGNATION.**

**** COUNCIL MEMBER HERRON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL PRESIDENT NIEVES MOVED TO FILL THE COMMITTEE VACANCIES LEFT BY MR. DEFILIPPO'S RESIGNATION AS FOLLOWS:**

**COUNCIL MEMBER ROMAN-CHRISTY – CONTRACTS COMMITTEE
COUNCIL MEMBER HERRON – EDUCATION & SOCIAL SERVICES
COMMITTEE**

**** COUNCIL MEMBER BRANTLEY SECONDED.**

Council Member Pereira pointed out that there was already a candidate selected by the Town Committee to fill the Council vacancy and that candidate would be coming forward next month. She asked why they were assigning Council Members to the Committee vacancies.

Council President Nieves stated that they need seven members assigned to the committees or they can't meet. The full Council requires a majority of 11 for quorum.

Council Member Pereira said that the Committees would still have a quorum and pointed out that the City Charter requires 20 members. She questioned why others were being appointed for only a month. Discussion followed,

A roll call vote was requested.

**** THE MOTION TO APPROVE THE REASSIGNMENT OF COUNCIL MEMBERS TO FILL THE COMMITTEE VACANCIES LEFT BY MR. DEFILIPPO'S RESIGNATION PASSED WITH SIXTEEN (16) IN FAVOR (BURNS, MCCARTHY, CRUZ, TAYLOR-MOYE, BROWN, BRANTLEY, HERRON, LYONS, MCBRIDE-LEE, ROMAN-CHRISTY, SILVA, CASTILLO, VALLE, NIEVES, SULIMAN, MARTINEZ AND NEWTON) AND ONE (1) NO RESPONSE (PEREIRA).**

ITEMS FOR IMMEDIATE CONSIDERATION:

Council President Nieves explained that there were members who needed to go into the waiting room before the CDBG vote.

The following members entered an online waiting room in order to recuse themselves from the item: Burns, McCarthy, Taylor-Moye, Brantley, Lyons, McBride-Lee, Castillo and Newton.

98-20 Communication from OPED re: Proposed Resolution regarding a Substantial Amendment to the 2019-2020 Program Year 45 Annual Action Plan for Housing & Community Development, FOR IMMEDIATE CONSIDERATION.

**** COUNCIL MEMBER HERRON SUSPEND THE RULES TO WAIVE THE REFERRAL OF AGENDA ITEM 98-20 COMMUNICATION FROM OPED RE: PROPOSED RESOLUTION REGARDING A SUBSTANTIAL AMENDMENT TO THE 2019-2020 PROGRAM YEAR 45 ANNUAL ACTION PLAN FOR HOUSING & COMMUNITY DEVELOPMENT TO COMMITTEE.**

**** COUNCIL MEMBER MARTINEZ SECONDED.**

**** THE MOTION PASSED WITH EIGHT (8) IN FAVOR (HERRON, VALLE, CRUZ, MARTINEZ, ROMAN-CHRISTY, BROWN, SILVA AND SULIMAN) AND ONE (1) OPPOSED (PEREIRA).**

****COUNCIL MEMBER HERRON MOVED AGENDA ITEM 98- 20 COMMUNICATION FROM OPED RE: PROPOSED RESOLUTION REGARDING A SUBSTANTIAL AMENDMENT TO THE 2019-2020 PROGRAM YEAR 45 ANNUAL ACTION PLAN FOR HOUSING & COMMUNITY DEVELOPMENT.**

**** COUNCIL MEMBER MARTINEZ SECONDED.**

Council Member Pereira asked if there was going to be an explanation of this resolution because it involves \$1.4 million for the P.F. Wheeler Vaccination Center Clinic. She said that she did not know anything about this project and only received two sheets of paper including a little table. She said that this was about \$1.6 million dollars.

Council President Nieves said that Mr. Gill, the OPED Director, was on the call along with Ms. Miller.

Ms. Anjerice Miller explained they were going to renovate the Wheeler Center on Highland Avenue with the \$1.4 million from the third round of CARES ACT funding to become a vaccination clinic. There is refrigeration that is needed to house the vaccinations along with other renovations.

Council President Nieves said that the City did not qualify during the second round of State allocations, but the City received the \$1.4 million during the third round.

Council Member Pereira said that her appointee had requested information about this item but only received a table a few hours before the hours.

Mr. Gill said that the \$1.4 million was from the CARES Act and needed to be spent. He said that there was a need for a more updated clinic rather than the one on East Main Street. That site did not have adequate refrigeration for COVID vaccines. Public Facilities is managing the project and the City is contributing \$1.4 million towards to this project, which will mirror the Americares clinic.

Ms. Ebony Jackson-Shaheed, the Acting Director of Health & Social Services, said that the Veterans program and the Communicable Disease clinic will be moving to the site along with the vaccination clinic.

Mr. Gill said that the HUD funding will only be utilized only for the clinic. The funding for the Veterans program will come from other sources.

Council Member Brown said that if they were looking to move the Veteran's program and the Communicable Diseases to that building, he wished to know what the on-going costs for the Wheeler School once the federal funding runs out. He also wished to know what would happen with the East Main Street building.

Mr. Gill said that OPED would have a study done for the old building. He then referred the funding question to Ms. Johnson.

Ms. Jackson-Shaheed said that they would only be filling two currently vacant nursing positions and would not be looking for additional funding.

Council Member Cruz said that he was satisfied with the explanation given by Mr. Gill and Ms. Jackson-Shaheed. He was happy that the veterans would be moving to a better, state of the art building.

Council Member Pereira said that it appeared to be an expansive design, but the Council Members only received a resolution and a table. She said that past practice had always been to

send a list of the unspent funds and which organizations didn't spend their funds. The information provided was quite abysmal and she would not be voting for it.

Council President Nieves said that she had never seen any list for reallocating funding. She added that there had been a need to move the clinics from 752 East Main for the last six years. There was a lot of money put into the East Main Street site, but the building was still not big enough. The City owns Wheeler and the clinics will be regional. It will be usable and COVID compliant.

Council Member Martinez asked for confirmation on the location of the building. She then asked about the parking and said that she was not against the project. [Inaudible followed by loss of call]

Council Member Brown said that he had no problem with the clinic or the testing but had questioned about having a clinic in one location for so long. He wished to know if they had thought about the East Side residents who would have to go to the Hollow for services.

Mr. Gill said that they had looked for any site and even considered trailers, which would not have worked out. While it may be easier for some clients, it may be harder for others. Council Member Brown said that he was hoping that the East Main Street site would end back up on the tax rolls.

Council Member Martinez said that she was concerned about the parking and the amount of space needed. Mr. Gill said that there were three floors in the building. The lower level will be used for the veterans. The second floor will be the Americares clinic and the third floor will be the clinic for vaccines and communicable diseases. There is some onsite parking and Public Facilities is working on the parking.

Ms. Jackson-Shaheed said that right now there is only one fully functioning exam room and another partially functioning exam room for the communicable diseases at the East Main Street site. There is very, very limited office space. The design for the new building will have more exam rooms, office spaces and they will be able to have a waiting room and a classroom. It will look like a clinic rather than the current site.

Council Member Brown asked if there would be access for the disabled clients. Ms. Jackson-Shaheed said that there was an elevator and the hallways were extra wide.

Council Member Pereira opposed for the reasons she stated on the record.

**** THE MOTION TO APPROVE AGENDA ITEM 98-20 COMMUNICATION FROM OPEB RE: PROPOSED RESOLUTION REGARDING A SUBSTANTIAL AMENDMENT TO THE 2019-2020 PROGRAM YEAR 45 ANNUAL ACTION PLAN**

FOR HOUSING & COMMUNITY DEVELOPMENT PASSED WITH EIGHT (8) IN FAVOR (HERRON, VALLE, CRUZ, MARTINEZ, ROMAN-CHRISTY, BROWN, SILVA AND SULIMAN) AND ONE (1) OPPOSED (PEREIRA).

Following the conclusion of the vote on Agenda Item 98-20, Council Members Burns, McCarthy, Taylor-Moye, Brantley, Lyons, McBride-Lee, Castillo and Newton rejoined the meeting.

107-20. Communication from City Attorney re: Proposed Settlement of Pending Litigation concerning the City's Arena and the Proposed 2021 Amendment to the Operating Agreement dated as of July 25, 2000 by and between the City of Bridgeport and Service America Corporation, FOR IMMEDIATE CONSIDERATION.

Council President Nieves announced that the Council Members, Mr. Gill, the OPED Director, along with Associate City Attorney Anastasi, Atty. Robert Berchem of Berchem and Moses; and Atty. Bryan LeClerc of Berchem and Moses would be entering into Executive Session to discuss pending litigation.

Council Member Pereira said that she did not recognize the names of the individuals named for Executive Session.

Atty. Berchem said that the Islanders were available if needed but not for the Executive Session.

Atty. Anastasi said that the questions would most likely relate to information available in Executive Session. He referred to a lengthy letter that he had submitted including a request for the City Attorney and the outside operator to settle legal issues regarding the Arena. He noted that it could be referred to the ECD&E, Contracts and Miscellaneous Matters committees, but felt that it would be best to allow the entire Council to attend the Executive Session.

There are certain elements of the amendment that would require repairs to the Arena as soon as possible for upcoming events.

Atty. Anastasi then reviewed the various documents that the Council Members received including documents from Berchem and Moses; engineering reports and the financial impact report. He said that there had been litigation that had been underway for years and included counter claims. Mr. Gill, the OPED Director, would be speaking about the resolution of this agreement, which will resolve the dispute and upgrade the Arena. While arenas are not necessarily financial engines, they contribute to the area where they are located.

Atty. Anastasi then gave a brief overview of the financial benefits with the Council Members. He noted that \$15 million had been approved by the Council for Arena repairs. Atty. Anastasi said that he had submitted two potential resolutions, which he reviewed with the Council.

Mr. Gill, the OPED Director, then addressed the Council Members. He said that this was a unique experience and that they had been working on correcting this since 2000. The City had been hampered by the previous administration's mishandling of the situation and the Arena is a City owned structure. It is in need of structural, engineering and capital repairs. The goal has been to settle the legal issues and Mr. Gill said that he believes they have accomplished that.

Mr. Gill said that both the City and the Arena had professional inspections done and both reports list structural and mechanical issues in the \$30 million dollar range and up. The authorized \$15 million will address the priority issues such as safety. OPED will be looking for best efforts for funding from the State and Federal sources in the future for the repairs and operation.

Council Member Newton said that 20 years ago, he was on the State Legislature when they approved the work for the Arena. He asked if there was any language to ensure the City of Bridgeport does its due diligence. If they had done the repairs 20 years ago, they would not be facing the problem now.

Council President Nieves asked Council Member Newton to wait for Executive Session. Council Member Newton said that he wanted to know how the City would ensure they don't get into the same situation in twenty years. Mr. Gill said that it would be important to make sure the City follows the parameters in the agreement.

Council Member McCarthy asked about the City's report from KBE. They are not a company that has a good reputation regarding their subcontractor payments and had renamed their company. Atty. Anastasi said that he did not have any knowledge of how they treated their subcontractors. Mr. Gill said that they were selected during the court session and the choice as to who was to assess the situation was made by the City Attorney's Office. He suggested that they continue the discussion in Executive Session.

Council Member Pereira asked how much Berchem and Moses has billed the City for in the last five years. Atty. Anastasi said that while that was public information, he did not have it available at that moment.

Council Member Pereira asked how much taxpayer money was used to build the Webster Arena. Atty. Anastasi said that he did not know. Council Member Pereira said that she thought they might still be paying bonds on the construction costs. Mr. Gill said that he was not working for the City at that time but he would look into it.

Council Member Burns asked if the Islanders had signed on officially. Mr. Gill said that they had and copies of that document would be available.

Council Member Roman-Christy asked if she would be joining in on the Executive Session since she was on the Contracts Committee. Atty. Anastasi said that the Executive Session was for the

entire Council and those who would be providing information, including Atty. Berchem, Atty. LeClerc and Mr. Gill.

Council Member Newton said that he believed that it costed \$35 million to do the ballpark and the arena and it was all State money. He did not recall the City had to put up any money then, but perhaps the City did later on.

Council Member McCarthy said that the Islanders had signed on for a 10-year extension and asked if the amended operating contract should have gone to the Contracts Committee. Atty. Anastasi said that it was a two-fold amendment, including a legal settlement. There was a 10-year option in the original contract. He said that the information would appropriate for the full Council rather than sending it to the three committees. The Contract operating agreement has not been signed by the City. Atty. Berchem felt the information should be discussed in Executive Session. A brief discussion followed.

**** COUNCIL MEMBER HERRON MOVED TO ENTER INTO AN EXECUTIVE SESSION TO DISCUSS THE PROPOSED SETTLEMENT OF PENDING LITIGATION CONCERNING THE CITY'S ARENA AND THE PROPOSED 2021 AMENDMENT TO THE OPERATING AGREEMENT DATED AS OF JULY 25, 2000 BY AND BETWEEN THE CITY OF BRIDGEPORT AND SERVICE AMERICA CORPORATION.**

**** COUNCIL MEMBER BRANTLEY SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The Council Members, Mr. Gill, the OPED Director, Associate City Attorney Anastasi, along with Atty. Robert Berchem of Berchem and Moses; and Atty. Bryan LeClerc of Berchem and Moses entered into Executive Session to discuss pending litigation entered Executive Session at 9:11 p.m. The Council Members returned from Executive Session at 10:05 p.m. No actions or motions were made at that time.

ADJOURNMENT

**** COUNCIL MEMBER HERRON MOVED TO RECESS AND RECOVENE ON AUGUST 4TH AT 5:30 P.M.**

**** COUNCIL MEMBER NEWTON SECOND.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 10:05 p.m.

Respectfully submitted,

Telesco Secretarial Services.

City of Bridgeport
City Council Meeting
Regular Meeting
August 2, 2021