

CITY OF BRIDGEPORT
CITY COUNCIL SPECIAL MEETING

WEDNESDAY, AUGUST 11, 2021
(RECESSED FROM AUGUST 4, 2021)

5:30 P.M.

This meeting was conducted by Zoom/Teleconference.

CALL TO ORDER

Council President Nieves reconvened the Special Meeting of the City Council to order at 5:37 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 Burns to lead those present in reciting the Pledge of Allegiance.

MA said that Mr. Flatto had sent out an email earlier in the day with additional information

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, <i>M. Evette Brantley</i>
133rd District:	Jeanette Herron
134th District:	<i>Michelle Lyons, AmyMarie Vizzo-Paniccia</i>
135th District:	Rosalina Roman-Christy, <i>Mary McBride-Lee</i>
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.

ITEM FOR IMMEDIATE CONSIDERATION:

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.

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

**** COUNCIL MEMBER HERRON MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS 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 President Nieves announced that OPED Director Tom Gill, OPM Director Nestor Nkwo, Atty. Mark Anastasi, Atty. LeClerc and Atty. Berchem, would be included in the Executive Session as needed.

**** COUNCIL MEMBER NEWTON SECONDED.**

Atty. Anastasi said that he was on a cell phone and did not know how to enter to Executive Session. Mr. Gaudett said that he would bring Attorney Anastasi in once Mr. Gaudett identified Atty. Anastasi's telephone number.

**** THE MOTION PASSED UNANIMOUSLY.**

The Council entered into Executive Session at 5:45 p.m. They returned to Public Session at 7:27 p.m.

Council President Nieves said that Atty. Berchem would be giving the direction for two amendments.

Atty. Berchem said that Atty. LeClerc had drafted the four items from the discussion. He noted that the base line was Atty. Anastasi's draft motion that was sent out earlier. He said that everyone had the proposed amendment.

Atty. LeClerc introduced himself and then read the following four additional amendments.

1. Increase of \$50,000 to the license fee payment from \$250,000 to \$300,000 per year, Section 5.2 of the Operating Agreement.
2. Increase the ticket fee by .50¢ per ticket with such .50¢ increase going into the City's General Fund. Section 5.2.
3. Capping the R&R account at \$1 million dollars. Once there is a \$1 million dollar balance in the account, all of the ticket fees shall go into the City's General Fund. When the balance of the R&R account goes below \$1 million dollars, \$1.50 per ticket goes into the R&R account until the balance again reaches \$1 million dollars. Section 1.100
4. To reiterate and emphasize the right of the City of Bridgeport to conduct inspections of the premises. Section 7.4 of the original Operating Agreement.

Council Member Newton requested that they make it on a yearly basis. Atty. LeClerc suggested that "on a minimum of a yearly basis".

Council Member Pereira said that she did not have the resolution. Atty. LeClerc said that he believed the resolution was in the July 29th correspondence from Atty. Anastasi, which was sent to the entire Council.

Atty. Anastasi clarified that it was submitted to the City Clerk as part of the original Council package as part of the Executive Summary and the proposed motion was located on the last page of that summary in Subsection I.

**** COUNCIL MEMBER NEWTON MOVED TO ACCEPT THE FOUR (4) AMENDMENTS TO THE CONTRACT WITH THE ISLANDERS.**

**** COUNCIL MEMBER HERRON SECONDED.**

Council Member Burns then offered an amendment for Item 7 linked to Contract 5.7.5, the R&R funding. He requested that it be modified by \$500,000. He was told that the \$200,000 was a minimum and they were authorized to deposit more into the R&R account.

**** COUNCIL MEMBER BURNS MOVED TO INCLUDE AN AMENDMENT TO INCREASE THE R&R FROM \$200,000 TO \$500,000.**

**** COUNCIL MEMBER CRUZ SECONDED.**

Council Member Pereira asked where the money would be coming from. Council Member Burns said that he had discussed this with Nestor, the OPM Director, and the funding could come from

the \$1,750,000 in back rent. This would allow the City not to have to go out for a bond. Discussion followed.

**** THE MOTION TO APPROVE AN ADDITIONAL AMENDMENT TO THE AGREEMENT TO INCREASE THE R&R FROM \$200,000 TO \$500,000 PASSED WITH SIXTEEN (16) IN FAVOR (BURNS, MCCARTHY, CRUZ, TAYLOR-MOYE, BROWN, BRANTLEY, HERRON, ROMAN-CHRISTY, MCBRIDE-LEE, CASTILLO, SILVA, VALLE, NIEVES, SULIMAN, MARTINEZ AND NEWTON) AND ONE (1) OPPOSED (PEREIRA).**

Council President Nieves said that the amendments for the original draft were for five items.

Council Member Pereira asked if the amendments had been sent to the Council Members in writing. Council President Nieves said that they had reviewed this in the Executive Session. The items that the Council were voting on were the ones discussed on the floor.

Ms. Ortiz reminded everyone that they needed to file the changes with the City Clerk.

**** COUNCIL MEMBER BRANTLEY MOVED TO ACCEPT 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 AS AMENDED WITH THE FIVE NEW AMENDMENTS.**

**** COUNCIL MEMBER NEWTON SECONDED.**

**** THE MOTION TO ACCEPT ALL FIVE AMENDMENTS AS STATED PASSED WITH SIXTEEN (16) IN FAVOR (BURNS, MCCARTHY, CRUZ, TAYLOR-MOYE, BROWN, BRANTLEY, HERRON, ROMAN-CHRISTY, MCBRIDE-LEE, CASTILLO, SILVA, VALLE, NIEVES, SULIMAN, MARTINEZ AND NEWTON) AND ONE (1) OPPOSED (PEREIRA).**

**** COUNCIL MEMBER HERRON MOVED TO ACCEPT AGENDA ITEM 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 AS AMENDED AS FOLLOWED:**

NOW THEREFORE BE IT RESOLVED THAT

- 1. THE MAYOR OR THE DIRECTOR OF OPED IS AUTHORIZED AND EMPOWERED TO FINALIZE AND EXECUTE A 2021 AMENDMENT TO**

OPERATING AGREEMENT MATERIALLY AS SUBMITTED AND THE FINAL FORM SENT TO THE DIRECTOR OF OPED AND THE CITY ATTORNEY AND IS FURTHER AUTHORIZED AND EMPOWERED TO NEGOTIATE AND TO EXECUTE RELATED DOCUMENTS AND TAKE SUCH OTHER REASONABLE NECESSARY ACTIONS IN FURTHERANCE OF THIS MATTER CONSISTENT WITH THE RESOLUTION AND IN ACCORDANCE WITH THE SUBSTANTIVE TERMS OF THE OPERATING AGREEMENT AS AMENDED BY THE 2021 AMENDMENT AND AS HE/SHE MAY DEEM IT TO BE IN THE BEST INTEREST OF THE CITY OF BRIDGEPORT AND;

- 2. THE CITY ATTORNEY AND/OR HIS DESIGNEE AND OUTSIDE LEGAL COUNSEL FOR THE CITY AND AUTHORIZING AND EMPOWERED SETTLE ANY AND ALL PENDING LITIGATION BETWEEN THE CITY AND THE ARENA TENANTS PENDING BEFORE AN AAA ARBITRATION PANEL OF THE CONNECTICUT SUPREME COURT AND TO EXECUTE THE DELIVERY OF ANY AND OR ALL DOCUMENTS REASONABLY NECESSARY TO ERADICATE SUCH SETTLEMENT.**

**** COUNCIL MEMBER BRANTLEY SECONDED.**

Council Member Pereira said that her constituents regularly tell her about how overburdened they are. She has already knocked on over 1,000 doors during the past few weeks. They thank her for fighting for taxpayers.

The purpose of development is that it benefits the community collectively. Not just the developer, not just the taxpayers, not just the residents but everyone collectively. She added that she felt it was safe to say that over the 20 some odd years of existence, the Bridgeport taxpayers have invested millions of dollars into something that has never returned a dollar. The vast majority of Bridgeport residents, which is about 80%, are black and brown, and the vast majority of them have no interest in hockey games. That is just reality. The vast majority of people who come to watch the games are suburbanites and they don't benefit from it in any way. It has done nothing to generate revenue or to reduce the tax burden on residential homeowners and renters. Renters pay into the taxes.

This does not benefit the City of Bridgeport. It benefits the developer, it benefits the hockey team. It doesn't benefit her constituents and it doesn't benefit residential taxpayers. Because of this, Council Member Pereira said that she would be voting no. She added that she felt the taxpayers were consistently raped by the City.

Council Member Newton said that the City owns the facility, along with the ballpark. Council Member Newton said that he was in the State legislature when this project was being approved.

He fought to bring this to Bridgeport. The shows that were done at the amphitheater were packed to the max. This is an opportunity for Bridgeport and they have to generate revenue to reduce the burden on the taxpayer. The days of G&E and Remington Arms are over. More people went to the amphitheater for the three or four shows than the ball park. He thanked the Council Members who reviewed the contract to make it better for Bridgeport. That is the role of the Council. It is time to stop the conspiracy that everyone is corrupt or on the take. Council Member Newton gave an example of the conspiracy that happened around the WPCA.

It is time to bring businesses to the City. Those residents who don't want to go to the arena don't have to go. The last show was a hip hop show and thousands of children of all colors went and had a great time.

Council Member Newton thanked the Council Members and the attorneys for this. He'll be talking to his constituents about how the arenas will help the City. The Council Members represent just a small part of the City.

Council Member McCarthy said that when the issue first came up, he was skeptical and reluctant to put money into the building. The City would like to become an entertainment center. After being at the amphitheater on opening night, he changed his mind. However, the amphitheater can't do it alone, it needs the arena. The restaurants downtown open and close on a yearly basis. The people that come to the events will help keep the restaurants open. He said that he hoped it would be passed tonight to help the residents. The shows that can't be held in the amphitheater can be held in the arena.

Council Member Brantley said that she did not want to beat a dead horse and wished to encourage all her colleagues to support it. The arena has opened its doors to many entities and groups in the City. As the owners of the building, the City needs to do what it needs to do to fix it up. She asked her fellow Council Members to support the item.

Council Member Martinez said that she lives in Bridgeport and was here when the arena was built. The City has invested a lot of time and money in the arena. The City has neglected other City owned buildings at the Arena. The owners of Wonderland of Ice were presented with an eviction notice during the pandemic. The City of Bridgeport needs to support the business and fix the roof, the doors and other items. It is a shame that they provide funding for the arena but not for the Wonderland of Ice. The children do play hockey at the Wonderland of Ice. While she supported the Webster Arena, she will not be supporting this item tonight.

Council Member Cruz said that he has a day job and can't be out there knocking on doors all day. He agreed with Council Member Martinez about the issues at the skating rink. He noted that the amphitheater requested \$4.5 million dollars when he started on the Council. He did reach out to his constituents via a survey and the results were in support of the amphitheater. He is not on the Council to fight people and wants to work for the entire City of Bridgeport.

Council Member Cruz said that he agreed with Council Member Martinez and would like to see the same effort to get a new Police Station. Things are being held together by band aids. Council Member Cruz said that he was glad Mr. Gill mentioned the Congress Street Bridge. He would like to see the bridge fixed so people who walk and emergency responders don't have to go all the way around to get to the other side. Council Member Cruz said that he was not against entertainment and they have to put the same passion for the arena towards the Wonderland of Ice. No one called him to speak against the arena.

Council Member Herron said that she was glad that they were having the conversation about being slum lords and rectifying the problem, maintain the buildings that the City owns. Wonderland of Ice is a prime example. She said that she had been told that the administration was going to look into this on the Council's behalf.

Council Member Herron said she was concerned that people were talking about outsiders coming into the City to the amphitheater. That's the whole point of the entertainment. It brings other money into the City in order to revitalize it. The residents do go to these venues. The amphitheater is providing discounted tickets to Bridgeport residents just so they can attend the events on a consistent basis.

Trying to deter outsiders because black and brown people can't attend is insulting to Council Member Herron. If someone needs to go to an event, they will call. This is not just about attendance, this is about providing jobs in those facilities. The restaurants were packed during the last two weeks. Why would the Council say they don't want outsiders coming in? There are people who live in Bridgeport who were once outsiders, too. It's important to think about the words they say because they want the tax dollars coming into the City. They want the revenue regardless of whether it is from residents or from outsiders. And that money will help lessen the burden on the taxpayers.

**** THE MOTION TO ACCEPT AGENDA ITEM 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 AS AMENDED WITH ALL FIVE AMENDMENTS AS STATED PASSED WITH SIXTEEN (16) IN FAVOR (BURNS, MCCARTHY, CRUZ, TAYLOR-MOYE, BROWN, BRANTLEY, HERRON, ROMAN-CHRISTY, MCBRIDE-LEE, CASTILLO, SILVA, VALLE, NIEVES, SULIMAN, MARTINEZ AND NEWTON) AND ONE (1) OPPOSED (PEREIRA).**

ADJOURNMENT

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

The meeting adjourned at 8:13 p.m.

Respectfully submitted,

Telesco Secretarial Services