

AGENDA
SPECIAL
CITY COUNCIL MEETING

WEDNESDAY, APRIL 11, 2018

7:00 P.M.
CITY COUNCIL CHAMBERS, CITY HALL – 45 LYON TERRACE
BRIDGEPORT, CONNECTICUT

Prayer

Pledge of Allegiance

Roll Call

ITEM FOR IMMEDIATE CONSIDERATION:

72-17

Resolution presented by Council Member(s) Martinez & Co-Sponsor(s):
Brown, Langan, Newton, Spain & Herron re: Proposed resolution regarding
180 Day Moratorium on WPCA Foreclosures, **FOR IMMEDIATE
CONSIDERATION.**

**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 **Wednesday evening, April 11, 2018** beginning at **6:00 p.m.**, in the City Council Chambers, City Hall, 45 Lyon Terrace, Bridgeport, Connecticut, relative to the following:

- 1.) Proposed resolution regarding a 180 Day Moratorium on WPCA Foreclosures.
[72-17]

Attest:

Lydia N. Martinez
City Clerk

Requires Certification

1 Edition - Connecticut Post

Run Date: Thursday, April 5, 2018

Emailed to: Legal Ad Dept. at publicnotices@ctpost.com

Account #: 111171

PO: 18000311-00

Dated: April 4, 2018

Sent By:

Lonnette Pettway

City Clerk's Office

45 Lyon Terrace

Bridgeport, CT 06604

(203) 576-7081

FAX # 332-5608

Public Hearing Notice

April 4, 2018

Page 2 of 2

Ec: Mayor Joseph P. Ganim
City Council Members
T. Gaudett, Mayoral Aide
E. Adams, Dir., Governmental Accountability & Integrity
K. Staley, CAO
J. Gomes, Deputy CAO
D. Shamas, Chief of Staff
A. dePara, Special Projects Coordinator, CAO
R. Christopher Meyer, City Attorney
M. Anastasi, Associate City Attorney
W. Robinson, Acting General Manager, WPCA
A. Blair, WPCA

**CITY COUNCIL MEETING
PUBLIC HEARING
MONDAY, APRIL 11, 2018
6:00 PM
City Council Chambers, City Hall
45 Lyon Terrace
Bridgeport, CT**

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18 APR 20 PM 5:44
ATTEST
CITY CLERK

PRESENT: Council President Aidee Nieves, Marcus Brown, Alfredo Castillo, Karen Jackson, Kyle Langan, Michelle Lyons, Eneida Martinez, Mary McBride-Lee, Thomas McCarthy, Ernest Newton, Rosalina Roman-Christy, Nessah Smith, Pete Spain, Denese Taylor-Moye; Jack O. Banta (6:24 p.m.)

CALL TO ORDER

Council President Nieves called the public hearing to order at 6:17 p.m. A quorum was present.

Council President Nieves said that the speakers should state their names and addresses when they came to the podium. Each speaker would be given 5 minutes to address the Council.

**Proposed resolution regarding a 180 Day Moratorium on WPCA Foreclosures.
[72-17]**

Ret. Judge Carmen Lopez stated that she had not heard whether there was a quorum present and wanted to have the record reflect that. Council President Nieves replied that a quorum was not needed but that there were 13 Council Members present.

Ret. Judge Lopez said that she would like to thank the Chairs of the Ordinance Committee for this. Ret. Judge Lopez said that she served for 12 years as a judge in Superior Court. Since she was a judge, she was not required to provide her address. She said that she wanted the record to reflect that she had been invited to attend this meeting in writing. She added that she had volunteered on a pro bono basis to help the City Council Ordinance Committee regarding this abuse and wanted the record to reflect this.

Ret. Judge Lopez said that she had reviewed the Ordinance Committee minutes which had shown significant changes in the way that they did business. She said that the Ordinance Committee had been trying to get support for many years regarding the collection practices of the WPCA. They were not able to get the support that they needed, which is why they need help now.

Ret. Judge Lopez said that much of the delay was from the City Attorney's Office. This is really sad and the minutes reflect the number of requests and how long everything took. Finally, they introduced significant changes for the way that the collection process was handled including the issues with having outside counsel handling the foreclosures. Ret. Judge Lopez said that the City Attorney's Office could not seem to say why these practices were being done. This is why substantive changes are being proposed by the Ordinance Committee and are on file with the

City Clerk's Office. But the complaints from the residents continue to come in. The response to this has been to have a moratorium in order to address the issues. However, the law said that if there is a lien, they have to pay the interest, which is at 18%.

Council Member Banta joined the hearing at 6:24 p.m.

Ret. Judge Lopez said that there had been claims that the charges for everyone would go up if there was a moratorium. This is not true. She said that she had spent hours and hours reading the ordinance and the Charter about the WPCA. She reminded the Council that they were the ones who originally created the WPCA with permission from the State. The Council should review the practices and use their power to correct the problems. The Council does not work for the Mayor nor are they his assistants. They are the check on the government. She said that she had spent her entire life, except for law school, watching this Committee doing what it was told to do.

Ret. Judge Lopez urged the Council to be independent because it is their choice. There are people in Bridgeport that are being forced into foreclosure and being charged outrageous fees and losing their homes. She concluded her remarks by thanking the Council Members for listening and wishing them good luck.

Ms. Crystal Mack came forward and said her house would be going into foreclosure. She said that she had a warranty deed and that this was wrong. She said that President Trump had signed an Executive Order on December 21, 2017 regarding serious abuses such as fraud. Anyone who signs on to these foreclosures will be held accountable. She then spoke about the "do no harm" clause and listed a number of abuses, such as elderly abuse, fraud, and judicial abuse. She said that the attorneys were the debt collectors and those who sign off on the bill will be held accountable.

Ms. Mack then stated that 748 gallons are in a unit of water, costing \$3.69 per unit. She said that she uses 2 units of water and her bill should be \$7.38 but they add a service charge and internal fee it is \$22.00. She said that was understandable, and then reviewed how the WPCA arrives at their charge. Ms. Mack previously worked for the Assessor's Office. While she may have been born at night, she wasn't born last night.

She said that it was time for the Council Members to know their Constitutional law. It is time for the Council Members to wake up and smell the coffee. They will be held accountable due to the Presidential Executive Order from December 2017. This is a fraud and it is evil. Everyone will be watching what the Council Members do.

Ms. Rose Lumas came forward and said that she pays her water bills every month and does not know why her bill was going up. She has to move from place to place and this is not right. She is 78 years old and her husband passed away 8 years ago. She said that she does not understand why this is happening and does not want to move from place to place. Ms. Lumas said that she thanks God that the Council is working on this problem, so she can stay in her home. She has been living in her home for 17 years and paying her bills. This is not right.

Mr. Louis Roman of Maple Avenue in Bridgeport came forward and said that he was the president of the Foreclosure Revolution Co-operative, which is based in New York, New Jersey and Connecticut. The group focuses on research and assisting people experiencing foreclosure.

He said that Atty. Epstein had purchased a \$6 million-dollar condo in Florida. He said that he would like to see the records on that because Atty. Epstein had been vague during the previous hearing. Atty. Liskov also was collecting money from the City and also 10% of the cases he handles.

Mr. Roman said that there needs to be a moratorium and an investigation. It is tragic seeing all these foreclosures. Atty. Epstein has to have a cart to bring in all the documents to court. A \$700 bill escalated into a \$22,000 bill with the lawyer and court fees.

Mr. Roman said that his group was filing a foreclosure class actions against the City of Bridgeport. He said that Council Members Newton, Martinez, Spain, and Brown know what is going on.

Mr. Jawan Bay said that he was the Vice President of the Foreclosure Revolution. He said that he was here to introduce Mr. Anderson who had uncovered some information about the WPCA. Council President Nieves asked that Mr. Anderson add his name to the list of speakers rather than taking Mr. Bay's spot.

Mr. Bay said that in 2008, there was a major issue with foreclosures and Bridgeport has continued to have an on-going problem with the WPCA. He said that he would be calling for a moratorium in not only in Bridgeport, but also statewide. Bridgeport will have an opportunity to let the nation know about this travesty of injustice. The issue of foreclosures has not gone away since 2008. He said that he would like to see Bridgeport ring the bell about this issue.

Mr. Ethan Book came forward and said that he was a resident of Coleman Street. This particular hearing has been a long time coming. The moratorium will be better because it will stop the foreclosures of homes.

Mr. Book said that he had submitted extensive documents that focused on a number of cases having to do with foreclosures. He submitted some documents to the record. On February 20th, he spoke about Steven Schultz who received what appears to be a rigged appraisal. The property was listed at \$8,000 and later that day sold the property to Benchmark for \$22,000. He said that at the last Council meeting, he had quoted Jefferson:

I believe the banking institutions are more dangerous to our liberties than the standing armies. If the American people ever allow private banks to control the issue of their currency, first by inflation, then by deflation, the banks and corporations that will grow up around the banks will deprive the people of all property – until their children wake-up homeless on the continent their fathers conquered.

Mr. Book said that he believed that this has become an oligarchy and it is no longer like the Constitution. He said that it looks like corruption to him.

Mr. Clyde Nicholson of Wallace Street came forward and said that he was here to get some satisfaction about what is going on. He said that he could not understand how the City attorneys can subcontract this work out. The power company, the electrical company and other utilities don't take your home, they shut you off. He proposed a \$500 limit. Mr. Nicholson suggested that the residents are paying taxes and wanted to know why the WPCA bill was not included with the property taxes. Mr. Nicholson said that Atty. Epstein should be in jail, not tomorrow, but today. He asked why Mayor Ganim wasn't present. Mayor Ganim is the head of the snake, and the residents only see him when it is profitable for the Mayor.

Ms. Carmen Nieves 672 Adam Street. She said that this affects her family right away because there are four liens on her home. A year ago, her brother passed away and her daughter is not working. She said that she has lost the income from those two apartments. She said that she was one paycheck away from being homeless. She said that she does not have any extended family in Bridgeport. She said that a quarterly bill of \$600 or \$700 dollars is too difficult. She said that she did not think people should be forced to move out of Bridgeport because they can't pay their WPCA bill.

Mr. Charles Coviello of Willow Street came forward and said he started out with a bill that was \$1,400 bill. It escalated to \$5,600 dollars and he was paying \$500 a month. He ended up paying a very large amount to finally settle the bill.

Mr. Coviello said that it was loan sharking, which is illegal. The FBI needs to come in to check out this. The difference is that the attorneys are legal and the judge tells them it is okay to charge \$1,500 in fees and costs. He said that the judges are attorneys and the legislators are attorneys. Now the banks are getting wise to this. He said that the attorneys can add him to the lawsuit because he was the one who complained. He concluded his remarks by encouraging everyone to support this moratorium.

Ms. Maria Valendez came forward and said that she was listening to all these comments about the corruption in Bridgeport and has worked for the City since 1983. She said that she was hearing so much pain. This is bad and making people suffer. She worked for the City for 20 years. Her pension is \$64.00 and she lives check by check. She said that she was homeless. She said that Mayor Finch and Mayor Ganim turned her down when she asked for help. Mayor Ganim needs to fix the corruption in Bridgeport before he goes to the State.

Mr. Cecil Young of Carroll Avenue came forward and said that it was a shame that people who paid for their homes for 30 or 40 years are losing their homes over small bills. He said that he was a former City sheriff and that in 1999 he had been cut off from doing sheriff's work. The Council Members have the chance to change the process and help the people of Bridgeport who elected them. Shame on the City of Bridgeport. Stop this mess. The Council has the power to approve a moratorium. It's not easy for people to start over. It needs to be stopped now before it gets worse.

Mr. Owen Anderson, of Capital Avenue, came forward. He said that he had a few points to make about a previous meeting. One of the City attorneys had said that the cases were evenly split between Atty. Ed Marcus and Atty. Juda Epstein. Mr. Anderson then went on to give the number of cases handled by Atty. Epstein, which were more than Atty. Marcus had. Mr.

Anderson then presented a number of facts to the Council Members regarding the foreclosures that had already taken place.

Ms. Lydia Palermo spoke next and said that she was 80 years old and born in Bridgeport. In 2014 she said that Atty. Juda Epstein had informed her that she owed him money. She said that she had spoken with a State investigator who had advised her to keep her receipts. She did so and gave copies of receipts but later was served with papers from small claims court. She gave the details and said when she went to court, Atty. Epstein claimed she still owed money. Atty. Epstein said that Ms. Palermo had agreed to withdraw her counter suit, which was not true. She said that she would be filing a suit against Epstein because she owes him nothing. Ms. Palermo thanked the Council for their time.

Ms. Marilyn Morris, a Bridgeport State Representative, came forward said that she believed that the Council Members were trying to help the residents. She said that she had introduced a State bill regarding the WPCA. She said that after investigating, she had found that one of the companies was not legally allowed to do business in Connecticut. She said that it appears that these foreclosures were targeting veterans, low income residents and people of color. She said that this was not fair, and criminal. She concluded her remarks by begging the Council Members to approve the moratorium.

A resident named David came forward and said that he would like to offer an apology for his actions at the last meeting due to the fact he was upset. These people are their friends and neighbors. He said that he might have been disrespectful. The residents don't need an act of Congress to do this. They need to do the right thing and they need to think about this.

Mr. Jorge Cruz of Black Rock Avenue came forward. He said that the only thing that he could think of doing was praying. He asked the Heavenly Father to pour out His Spirit to the members of the Council so that they will support this moratorium. Lord God, show the Council the way. He asked that in the name of Jesus Christ.

Mr. Cruz said that he did not see the Mayor here to listen to the pain and suffering that the WPCA is costing the residents. He wants to run the State, but doesn't have time to listen to his constituents. This is painful. People are standing in front of the flag but this is not American. This is a shame that the Mayor was not present. He said that he helped Mayor Ganim because he believes in second chances. Mr. Cruz said that he had texted the Mayor earlier in the morning. How can he run for Governor if he can't take care of his own residents. If Margaret Morton was alive today, she would be heart broken.

Ms. Doreen Reed said that said that her grandfather had been a slave and later lived near Martin Luther King's church in the South. After that, he moved to Bridgeport in an Italian neighborhood and she was raised in Bridgeport. She spoke about her foreclosure that she had fought and won. She said that she learned how to build capital from her home. She said that she was a former convict and was born again. She apologized for anyone who spoke out of turn at the previous hearing due to their strong emotions. She said that there was no love and this is wrong. She spoke about the fact that Atty. Epstein wanted her to go to jail. She said that everyone needs to learn to forgive. She added that people would need to sit down with Atty.

Epstein to work things out. She got her house back and they vacated the judgment because of the last meeting. People need to give the other parties a chance to work things out.

Mr. Tony Barr of Pennsylvania Avenue came forward said that the audience did not have to give him respect because he has it already. He said that he knew of 20 elderly people who were having problems. He said that the Council Members were elected to represent the residents but they are not doing it. He said that he would ask every resident of all the districts not to vote for them again. During Mr. Barr's remarks, the audience members were calling out and Mr. Barr's comments became inaudible.

ADJOURNMENT

Council President Nieves closed the public speaking portion at 7:50 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services

**CITY COUNCIL
SPECIAL MEETING
MONDAY, APRIL 11, 2018
City Council Chambers, City Hall
45 Lyon Terrace
Bridgeport, CT**

Council President Nieves called the Council Special Meeting to order at 8:40 p.m.

ROLL CALL

The Assistant City Clerk, Frances Ortiz called the roll.

130th District: Pete Spain
131st District: Denese Taylor-Moye, Jack Banta
132nd District: Marcus Brown, Kyle Langan
133rd District: Jeanette Herron, Thomas McCarthy
134th District: Michelle Lyons, AmyMarie Vizzo-Paniccia
135th District: Mary McBride-Lee, Rosalina Roman-Christy
136th District: Alfredo Castillo,
137th District: Aidee Nieves, Maria Valle
138th District: Karen Jackson, Nessah Smith
139th District: Ernest Newton, Eneida Martinez

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CITY CLERK

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The Assistant City Clerk announced that a quorum was present.

PRAYER

Council Member McBride-Lee was then asked to lead those present in prayer.

PLEDGE OF ALLEGIANCE

Council President Nieves asked Council Member Spain to lead those present in reciting the Pledge.

ITEM FOR IMMEDIATE CONSIDERATION:

72-17 Resolution presented by Council Member(s) Martinez & Co-Sponsor(s): Brown, Langan, Newton, Spain & Herron re: Proposed resolution regarding 180 Day Moratorium on WPCA Foreclosures, FOR IMMEDIATE CONSIDERATION.

**** COUNCIL MEMBER MARTINEZ MOVED AGENDA ITEM 72-17 RESOLUTION PRESENTED BY COUNCIL MEMBER(S) MARTINEZ & CO-SPONSOR(S): BROWN, LANGAN, NEWTON, SPAIN & HERRON RE: PROPOSED RESOLUTION REGARDING 180 DAY MORATORIUM ON WPCA FORECLOSURES, FOR IMMEDIATE CONSIDERATION.**

**** COUNCIL MEMBER NEWTON SECONDED.**

Council Member Martinez said that Council Member Zambrano Viggiano was not able to attend the meeting due to a prior commitment. She submitted a question asking what the budgetary implications would be. Council Member Martinez then stated for the record:

“What is the potential shortfall that the city might face due to the hundred and 80 day moratorium versus a 30 or 90 day moratorium or even no moratorium at all? She would like to see the rest of the projections after the council takes action because she could not be present today. I wanted to set it out ahead of time so that you can address it with the council members before the meeting.”

Council Member Martinez stated for the record that she had done the research on the WPCA budget and the answer to the question was that an analysis of the issue indicated that there was a two prong approach necessary.

First a look at the Connecticut General statutes section 7-245 through section 7-273(a) addresses the sewer system. This statute enables the city council to create the water pollution control Authority in the first place. remember that a municipality only has the power that the state legislation gives it. Section 7-246 (a) states in the relevant part:

“Any municipality may, by ordinance, designate its legislative body, except where the legislative body is the town meeting, or any existing board or commission, or create a new board or commission to be designated, as the water pollution control authority for such municipality.”

Sec. 7-267, which is a part of the Connecticut General Statutes Sewage System states Use of funds, and states the following:

“All benefit assessments and charges for connection with or use of the sewerage system, whether pledged for payment of bonds or notes or otherwise, shall be kept separate from other funds of the municipality and shall be used for the sewerage system, including the payment of debt incurred for the sewerage system and interest thereon, and for no other purpose.”

The second approach involves an examination of the Code of Ordinance of the City. Please note that Chapter 13.04 of the Code of Ordinance is entitled “Utilities” and contains Section 13.04.010 thru Section 13.04.620. This is the chapter of the Code of Ordinance that the Ordinance Committee has examined. This chapter of the Code has the relevant issues of the budget of the WPCA.

So, that basically answers the question that she – you know -- that she asked and the other one on of the establishment of the WPCA operation fund is in Section 13.04.180 states:

“There is established a WPCA operating fund. This fund will be used to account for the operation, maintenance, administration and repair/replacement costs of the sewage system. Operating fund revenues shall be derived from user charges based upon a proportionate sharing of sewage system operation, maintenance, administration and repair/replacement costs among all system users, as well as incidental revenues.”

So basically there is no effect to the budget, which basically was the answer to her question.

Council President Nieves stated the following for the record: "We are voting on the Proposed resolution regarding 180 Day Moratorium on WPCA Foreclosures."

**** THE MOTION PASSED WITH SEVENTEEN (17) IN FAVOR (SPAIN, BANTA, TAYLOR-MOYE, BROWN, LANGAN, MCCARTHY, HERRON, VIZZO-PANICCIA, MCBRIDE-LEE, ROMAN CHRISTY, CASTILLO, NIEVES, VALLE, JACKSON, N. SMITH, MARTINEZ AND NEWTON) AND ONE OPPOSED (LYONS).**

Council Member Martinez requested a point of personal privilege. She said that she wanted to state for the record that the Council had just voted on Agenda Item 72-17, but that she had a list of items that the Committee would be holding the City Attorney's office accountable for during the 180 days moratorium. This was a question that Council Member Taylor-Moye had asked about.

The Ordinance Committee was making three amendments to the Code of Ordinances to address this, so they were going to instruct the City Attorney's Office to:

- implement a payment plan to pay arrearages;
- authorize the City Attorney's Office to begin foreclosure action in court only when the amount due, including accrued interest is over \$4,000; and
- limit the use of outside counsel by requiring that all attempts to collect unpaid sewer fees, including the foreclosure of WPCA liens, be instituted by the City Attorney's Office. If the City Attorney's Office should decide to use outside legal counsel, the City Attorney shall follow the Charter that requires a written statement be issued setting forth the basis for the conflict of interest that requires the use of outside counsel.

Council Member Martinez said that the Ordinance Committee had requested this already be started so that the Committee can start work with all the information ready.

ADJOURNMENT

**** COUNCIL MEMBER BROWN MOVED TO ADJOURN.
** COUNCIL MEMBER NEWTON SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned 8:50 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Service

City of Bridgeport
City Council
Special Meeting
April 11, 2018



OFFICE OF THE MAYOR
CITY OF BRIDGEPORT, CONNECTICUT

999 BROAD STREET
BRIDGEPORT, CONNECTICUT 06604
TELEPHONE (203) 576-7201
FAX (203) 576-3913

JOSEPH P. GANIM
Mayor

April 6, 2017

The Honorable Lydia Martinez
City Clerk
City of Bridgeport
45 Lyon Terrace
Bridgeport, CT 06604

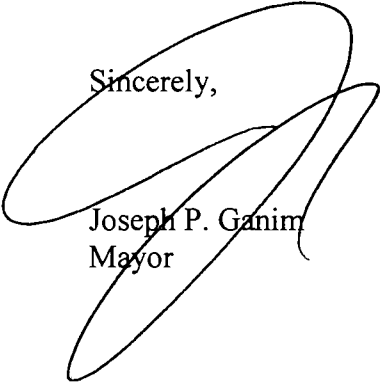
Dear Lydia Martinez,

Pursuant to and in accordance with Chapter 5, Section 5 (a) of the Charter of the City of Bridgeport, I am hereby requesting Special Meeting with the City Council for Wednesday, April 11, 2017 at 7:00 p.m. to consider the following:

72-17 Proposed resolution regarding a 180 Day Moratorium on WPCA Foreclosures referred for Immediate Consideration

Should you have any questions, please do not hesitate to contact my office.

Sincerely,


Joseph P. Ganim
Mayor

ATTEST
CITY CLERK

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OFFICE OF THE CITY CLERK
RESOLUTION FORM

IMMEDIATE CONSIDERATION

Below to be used for processing of Immediate Consideration items only

Log ID/Item number: 72-17
Submitted by: Eneida L. Martinez; Marcus A. Brown; Kyle Langan; Ernest E. Newton; Pete
Councilmember(s): Spain; Jeanette Herron
Subject: Resolution re: 180 Day Moratorium on WPCA Foreclosures
Referred to Committee: Immediate Consideration
City Council Date: April 11, 2018 (Special Meeting)

Attest:

Lydia N. Martinez
Lydia N. Martinez, City Clerk

April 11, 2018 (Special Meeting)
Date

Approved by:

Joseph P. Ganim, Mayor

Date

Pursuant to Chapter 5, Section 11 of the City Charter the City Council of the City of Bridgeport on April 11, 2018 (Special Meeting) adopted and approved the attached Resolution #72-17 relative to the 180 Day Moratorium on WPCA Foreclosures by IMMEDIATE CONSIDERATION, said approval does not require Mayoral signature, and is effective as of May 3, 2018.

RECEIVED

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CITY OF BRIDGEPORT
MAYOR'S OFFICE

ATTEST
CITY CLERK

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OFFICE OF THE CITY CLERK RESOLUTION FORM

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18 MAR 28 PM 3:52

ATTEST
CITY CLERK

SECTION I CITY COUNCIL SUBMISSION INFORMATION

Log ID/Item Number: 72-17
 Submitted by Councilmember(s): Eneida L. Martinez
 Co-Sponsors(s): Marcus A. Brown ~~XXXXXXXXXX~~ KYLE LANGAN Ernest E. Newton ~~XXXXXXXXXX~~ ROSEMARY RAMAN
 District: 139TH
 Subject: 180 Day Moratorium on WPCA Foreclosures
 Referred to: Ordinance Committee ~~XXXXXXXXXX~~ Changed for IMMEDIATE CONSIDERATION
 City Council Date: April 2, 2018 OFF THE FILE

SECTION II RESOLUTION (PLEASE TYPE BELOW)

ADDITIONAL CO-SPONSORS FROM THE ORDINANCE COMMITTEE: Pete Spain, JEANETTE MERRON

WHEREAS, the City Charter of the City of Bridgeport, Chapter 11 Section 22 entitled Water Pollution Control Authority, authorizes the City Council to establish a Water Pollution Control Authority; and

WHEREAS, pursuant to the Charter of the City of Bridgeport, the City Council enacted Chapter 13.04 of the Code of Ordinances, entitled Utilities; and

WHEREAS, the number of liens, foreclosures and foreclosure-related evictions caused by the Water Pollution Control Authority (WPCA) has become a citywide problem; and

WHEREAS, foreclosures destabilize neighborhoods and the loss of a home to foreclosure can devastate a family; in addition to losing what is often their most significant asset they are uprooted from community supports and often find themselves with no place to go; and

WHEREAS, the City Council Committee on Ordinances currently has before it Resolutions 55-17, 56-17, and 57-17 all of which intend in their final form to rectify by Ordinance the many problems the City Council sees in the WPCA and the Lien Foreclosure process; and

WHEREAS, a Moratorium of 180 days placed on the WPCA or any of its representatives in commencing any further Foreclosures would enable the Council Committee on Ordinances to complete their work with the pending three resolutions and for the full City Council to take the steps necessary to resolve the conflicts identified in the existing Ordinances; and

NOW, THEREFORE, BE IT RESOLVED, by the Bridgeport City Council that to enable the Ordinance Committee to complete its work, minimize unnecessary hardship on the residents of Bridgeport, that effective April 3, 2018 **No Court Action to Foreclose a Lien Shall Be Instituted** for a period of 180 days by the WPCA or any of its representatives.

Resolutions 55-17, 56-17, 57-17 Are Attached



OFFICE OF THE CITY CLERK RESOLUTION FORM

AS AMENDED FROM THE FLOOR AT THE APRIL 2, 2018 CITY COUNCIL MEETING

BE IT FURTHER RESOLVED by the Bridgeport City Council any and all foreclosures currently pending in the Superior Court shall be included in the moratorium and no further action shall be taken by WPCA Attorneys to move pending case or cases further in the Superior Court.



OFFICE OF THE CITY CLERK RESOLUTION FORM

SECTION III SUBSEQUENT REFERRALS/REPLIES AND DATE SENT/RECEIVED

DEPARTMENT	Referral date sent	Response Received	Date reply received
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
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Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	

SECTION IV PUBLIC HEARING INFORMATION

Public Hearing Required	Details	Date
<input type="checkbox"/> Yes <input type="checkbox"/> No	Public Hearing Ordered on: CT Post Publication Date(s): Public Hearing Held on:	

SECTION V AMENDMENTS/EXHIBITS

Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
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SECTION VI COMMITTEE ACTION/APPROVAL INFORMATION

Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:

SECTION VII WITHDRAWN/SINE DIE INFORMATION

Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
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SECTION VIII DATE OF APPROVAL/DENIAL FROM CITY COUNCIL

City Council Approval Date: _____

SECTION IX COMMENTS (if any)



OFFICE OF THE CITY CLERK RESOLUTION FORM

SECTION I CITY COUNCIL SUBMISSION INFORMATION

Log ID/Item Number: **55-17**
 Submitted by Councilmember(s): Eneida L. Martinez
 Co-Sponsors(s): Ernest E. Newton Marcus A. Brown Michelle A. Lyons Rosalina Roman-Christy
 District: 139TH
 Subject: **PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 13.04-UTILITIES, TO AMEND PARAGRAPH A OF SECTION 13.04.040 ENTITLED BOARD OF DIRECTORS.**
 Referred to: Ordinance Committee
 City Council Date: February 20, 2018 (OFF THE FLOOR)

SECTION II RESOLUTION (PLEASE TYPE BELOW)

ADDITIONAL CO-SPONSORS FROM THE ORDINANCE COMMITTEE: Pete Spain, Maria I. Valle
 ADDITIONAL CO-SPONSORS: Jeanette Herron, Jack Banta, Christina Smith, Denese Taylor-Moye, Alfredo Castillo, Kyle Langan, Karen Jackson, Mary McBride-Lee, Nessah Smith and Maria Viggiano.

WHEREAS, the City Charter of the City of Bridgeport, Chapter 11 Section 22 entitled Water Pollution Control Authority, authorizes the City Council to establish a Water Pollution Control Authority; and

WHEREAS, pursuant to the Charter of the City of Bridgeport, the City Council enacted Chapter 13.04 of the Code of Ordinances, entitled Utilities; and

WHEREAS, pursuant to Chapter 13.04 040, the City Council created a Board of Directors for the WPCA; and

WHEREAS, the City Council established that the said Board shall consist of nine (9) members, appointed by the Mayor; and

WHEREAS, the City Council has learned that the WPCA Board has been operating with vacancies and expired terms for over ten years; and

WHEREAS, individual members of the City Council have received numerous complaints about the collection practices of the WPCA, which according to the Ordinance are to be approved by the Board of Directors; and

Whereas, public trust and confidence in this Board and in municipal government has been significantly diminished in light of the neglect of maintaining the membership of the Board current; and

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 ATTEST
 CITY CLERK



OFFICE OF THE CITY CLERK RESOLUTION FORM

NOW, THEREFORE, BE IT ORDAINED: By the City Council of the City of Bridgeport that the Bridgeport Municipal Code of Ordinances, chapter 13.04.040, Paragraph A, Board of Directors is hereby amended as follows:

- A. The Board of Directors of the WPCA shall consist of nine (9) members. They shall include The City Engineer, the City Attorney, the Director of Finance the Director of Public Facilities, and five (5) at-large members appointed [and approved by the Mayor] by the City Council. The members of the Board shall have the right to vote, with the exception of the City Attorney and the City Engineer, who shall serve ex-officio, AND WHOSE PRESENCE AT A MEETING SHALL NOT BE CONSIDERED WHEN DETERMINING A QUORUM. The City Attorney, the Director of Finance and the Director of Public Facilities may designate another member of their office to serve as his/her alternate on the Board.
- B. Any member of the board of directors shall be immune from personal liability to the city, or any person acting on its behalf for any act or commission. The immunity provided in this section shall not apply to acts or commissions constituting willful or wanton misconduct.



OFFICE OF THE CITY CLERK RESOLUTION FORM

SECTION I CITY COUNCIL SUBMISSION INFORMATION

Log ID/Item Number: 56-17
 Submitted by Councilmember(s): Eneida L. Martinez
 Co-Sponsors(s): Ernest E. Newton Marcus A. Brown Michelle A. Lyons Rosalina Roman-Christy
 District: 139TH
 Subject: **PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 13.04-UTILITIES, TO AMEND SECTION 13.04.050 ENTITLED TERMS OF OFFICE.**
 Referred to: Ordinance Committee
 City Council Date: February 20, 2018 (OFF THE FLOOR)

SECTION II RESOLUTION (PLEASE TYPE BELOW)

ADDITIONAL CO-SPONSORS FROM THE ORDINANCE COMMITTEE: Pete Spain, Maria I. Valle
 ADDITIONAL CO-SPONSORS: Jeanette Herron, Jack Banta, Christina Smith, Denese Taylor-Moye, Alfredo Castillo, Kyle Langan, Karen Jackson, Mary McBride-Lee, Nessah Smith and Maria Viggiano.

PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 13.04-UTILITIES, TO AMEND SECTION 13.04.050 ENTITLED TERMS OF OFFICE.

Whereas, the City Charter of the City of Bridgeport, Chapter 11 Section 22 entitled Water Pollution Control Authority, authorizes the City Council to establish a Water Pollution Control Authority;

Whereas, pursuant to the Charter of the City of Bridgeport, the City Council enacted Chapter 13.04 of the Code of Ordinances, entitled Utilities;

Whereas, pursuant to Chapter 13.04 050, the City Council established the terms of Office for members of the Board of Directors for the WPCA;

Whereas, the City Council established that the said Board shall consist of nine (9) members, appointed by the Mayor,

Whereas, the City Council has learned that the WPCA Board has been operating with vacancies and expired terms for over ten years;

Whereas, individual members of the City Council have received numerous complaints about the collection practices of the WPCA, which according to the Ordinance are to be approved by the Board of Directors;

Whereas, public trust and confidence in this Board and in municipal government has been significantly diminished in light of the neglect of maintaining the membership of the Board current;

NOW, THEREFORE, BE IT ORDAINED: By the City Council of the City of Bridgeport that the Bridgeport Municipal Code of Ordinances, chapter 13.04.050, Terms of Office, is hereby amended as follows:

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OFFICE OF THE CITY CLERK RESOLUTION FORM

City officials who are members of the WPCA board of directors shall retain their responsibility throughout their tenure as City Officials. At-large members of the WPCA Board shall be appointed for a term of three years, except that those first appointed, [one shall be appointed for a term ending December 31, 1989, two for a term ending December 31, 1990 and two for a term ending December 31, 1991]. **TWO (2) SHALL BE FOR A TERM EXTENDING UNTIL DECEMBER 31, 2018, TWO (2) SHALL BE FOR A TERM EXTENDING UNTIL DECEMBER 31, 2019, AND ONE (1) FOR A TERM EXTENDED UNTIL DECEMBER 31, 2020.**



OFFICE OF THE CITY CLERK RESOLUTION FORM

SECTION I CITY COUNCIL SUBMISSION INFORMATION

Log ID/Item Number: 57-17
 Submitted by Councilmember(s): Eneida L. Martinez
 Co-Sponsors(s): Ernest E. Newton Michelle A. Lyons Rosalina Roman-Christy
 District: 139TH
 Subject: PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 13.04-UTILITIES, TO AMEND PARAGRAPH OF SECTION 13.04.380 ENTITLED COLLECTION OF PAST DUE ACCOUNTS AND LATE PAYMENT PENALTIES.
 Referred to: Ordinance Committee
 City Council Date: February 20, 2018 (OFF THE FLOOR)

SECTION II RESOLUTION (PLEASE TYPE BELOW)

ADDITIONAL CO-SPONSORS FROM THE ORDINANCE COMMITTEE: Pete Spain, Maria I. Valle

ADDITIONAL CO-SPONSORS: Jeanette Herron, Jack Banta, Christina Smith, Denese Taylor-Moye, Alfredo Castillo, Kyle Langan, Karen Jackson, Mary McBride-Lee, Nessah Smith and Maria Viggiano.

WHEREAS, the City Charter of the City of Bridgeport, Chapter 11 Section 22 entitled Water Pollution Control Authority, authorizes the City Council to establish a Water Pollution Control Authority; and

WHEREAS, pursuant to the Charter of the City of Bridgeport, the City Council enacted Chapter 13.04 of the Code of Ordinances, entitled Utilities; and

WHEREAS, individual members of the City Council have received numerous complaints of collection practices of the WPCA; and

WHEREAS, public trust and confidence in this Board and in municipal government has been significantly diminished in light of the neglect of maintaining the membership of the Board current; and

NOW, THEREFORE, BE IT ORDAINED: By the City Council of the City of Bridgeport that the Bridgeport Municipal Code of Ordinances, chapter 13.04.380 Collection of Past Due Accounts and Late Payment Penalties is hereby amended as follows:

A. The WPCA shall exercise due diligence in collecting the full amount due from all customers. The WPCA shall exercise all lawful means to collect delinquent unpaid sewer use charges. [including retaining independent legal counsel and/or an independent collecting agent.] ALL LEGAL ACTION TO COLLECT DELINQUENT SEWER USE CHARGES SHALL BE INSTITUTED, ON BEHALF OF THE CITY, BY THE LAW DEPARTMENT OF THE CITY OF BRIDGEPORT. INDEPENDENT COUNSEL MAY ONLY BE RETAINED BY THE CHIEF CITY ATTORNEY IF A CONFLICT OF INTEREST,

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OFFICE OF THE CITY CLERK RESOLUTION FORM

REQUIRING RECUSAL, PREVENTS THE LAW DEPARTMENT FROM REPRESENTING THE CITY OF BRIDGEPORT. The customer shall become liable for all costs associated with collecting delinquent accounts.

B. A list of such unpaid accounts turned over for collection shall be submitted to the chairman of the WPCA semiannually.

C. Any unpaid sewer user charges shall constitute a lien upon the real estate against which such charge was levied from the date it became delinquent. Each such lien may be continued, recorded and released in the manner provided by the General Statutes of the State of Connecticut for continuing, recording and releasing property tax liens and encumbrances except [taxes, and] **EACH LIEN** may be foreclosed in the same manner as a lien for property taxes, **BUT NO COURT ACTION TO FORECLOSE A LIEN SHALL BE INSTITUTED, UNTIL THE AMOUNT DUE, INCLUDING ACCRUED INTEREST, EXCEEDS \$4,000.00.**

D. The tax collector of the city and the general manager are designated as collectors of sewer user charges. In addition, the board of directors of the WPCA may designate other persons to collect sewer user charges. Such designated persons may collect such charges in accordance with the provisions of the General Statutes, aforesaid, for the collection of property taxes.

(NEW) E. THE LAW DEPARTMENT OF THE CITY OF BRIDGEPORT SHALL ESTABLISH A PROGRAM PERMITTING AN OWNER OF REAL PROPERTY WHICH IS SUBJECT TO A SEWER LIEN TO ENTER INTO A PAYMENT PLAN, FOR THE PAYMENT OF ANY ARREARAGE. ANY SUCH REPAYMENT PLAN SHALL NOT RELIEVE THE PROPERTY OWNER OF THE OBLIGATION TO PAY CURRENT USER FEES AND MUST BE APPROVED BY THE WPCA BOARD OF DIRECTORS. NO FORECLOSURE OF THE LIEN MAY BE SOUGHT IF:

- 1. THE PROPERTY OWNER COMPLIES WITH THE AGREEMENT;**
- 2. CURRENT SEWER USE CHARGES ARE PAID.**