

**CITY OF BRIDGEPORT  
ORDINANCE COMMITTEE  
REGULAR MEETING  
SEPTEMBER 23, 2014**

**ATTENDANCE:** E. Martinez-Walker, Co-Chair; Council Members L. Martinez; E. Torres; R. DeJesus; M. McBride-Lee (left meeting at 7 PM)

**NON-COMMITTEE:** Council Member S. Brannelly (joined meeting at 6:25 PM)

**STAFF:** J. Paul-Arndt, Deputy CAO/CityStat Director; L. Trachtenberg, Associate City Attorney; B. Tardy, Acting Purchasing Agent; J. Nadrizny, Assistant Acting Purchasing Agent

**ALSO:** Prof. Anna Greer, Sacred Heart University

Prior to the meeting J. Paul-Arndt furnished summary copies of proposed ordinances to be used for Agenda items 34-13 and 38-13 to all committee members.

Co-Chair Martinez-Walker called the meeting to order at 6:17 PM. She noted Co-Chair Paoletto is out of town and Council Member Vizzo-Paniccia is unable to make the meeting.

**80-13 Proposed Amendments to the Municipal Code of Ordinances, Chapter 12.28 Park Use Regulations, amend to add new Section 12.28.210 Regulation Banning Smoking in City Parks.**

Co-Chair Walker-Martinez asked if anyone was present to speak on behalf of this item, and noted since S. Brannelly was not here yet they would move this item to the end of the meeting.

**34-13 Proposed Amendments to the Municipal Code of Ordinances, Chapter 3.08 City Contract and Purchasing Procedures, amend Section 3.08.070 Purchasing Procedure and Section 3.08.090 Disqualification of vendors from doing business with the City-Procedure.**

J. Paul-Arndt presented and said this is the item that was previously presented with changes made to clean up the language to make it more consistent. The changes are in Chapter 3.08, sections 3.08.070 and 3.08.090. She said Purchasing representatives are here if the committee has any questions on the content changes. She indicated the changes are in red in the furnished packages.

Att. Trachtenburg said Ms. Paul-Arndt will ask you to make a motion to amend by substitution these new documents, and then vote on motion to approve or deny the amended documents.

Council member R. DeJesus asked if they vote to approve does it mean the whole document is approved. Atty. Trachtenburg said they could also move to further amend the amended version and then vote.

Ms. Paul-Arndt said she wishes to make a motion from the floor the following changes in section 3.08.090: remove the word 'willful' from #'s 4,6,7,8 and remove ".130" from #7.

Council Member Martinez asked if these changes are new since the previous meeting and requested an explanation of what was removed/changed and why.

J. Paul-Arndt said there have been changes since the previous meeting but the content is the same; there were improvements to the wording of certain sections, some cleaning up, all in an effort to improve the flow of the document.

Atty. Trachtenburg said she understands it is difficult to follow and asked if it would be easier if the committee was provided with a clean version – no red lining. She indicated the version currently in place is very difficult to follow and hard for the users of the ordinance to understand what is required of them.

Council Member Torres said some of the language that appears cumbersome might still be necessary in context.

There was further discussion on the wording in the definition section, which definitions to keep, and what the proposed changes mean.

Council Member Torres said he does get notices when a qualified purchase is made and asked how council members are notified of other purchasing awards. J. Paul-Arndt indicated there are quarterly reports that summarize that information.

Council Member Martinez asked when the ordinance was last reviewed and changed. Atty. Trachtenburg indicated 2002/2003. The ordinance was adopted initially a few years before 2003/2003 revision.

Council Member Martinez asked if this applies to all purchase and was told yes. She asked if there are other ordinances for purchasing. Atty. Trachtenburg said this is the 'bible' of purchasing ordinances.

Council member DeJesus asked if there are any purchases not covered by this ordinance. Atty. Trachtenburg indicated the Charter allows the City Attorney's office to purchase specialized legal services outside of this ordinance.

Council member Martinez asked what problems have arisen since 2002/2003 that now require these extensive changes.

Atty. Trachtenburg reviewed the history of issues and the process of getting to this revision. J. Paul-Arndt said the City committed to looking at the whole ordinance and making the necessary.

B. Tardy gave an example of why a change was necessary. The current ordinance requires annual reporting that is not achievable using the IT system currently in place. This requirement has been rewritten to require a report that can be produced using the current

computer systems. He also said there were conflicting requirements in the QBS section; it has now been cleaned up and more user friendly.

*Council Member McBride-Lee left the meeting at 7 PM.*

Council member DeJesus asked what has been done to rectify the issuing of reports. B. Tardy said they have created some reports, and Purchasing is maintaining lists, many in Excel format, to track purchases. It is a manual process at this point.

J. Nadrizny said she keeps lists of all the different types of purchases made through the year.

Council member Torres reviewed a number of questions he has in the “Definitions Section”. He proposed keeping the words “proposer” and “vendor” in this section. He noted the “Report Section N” and said he has never seen a report. He noted Section “O” that references Audit and said the City does not have an internal auditor, and perhaps this section should be removed.

Council member Torres indicated the changes are so comprehensive he is unable to vote on it until he has had time to read the entire document. J. Paul-Arndt indicated it might be easier to follow using a clean, vs. red line, copy of the proposed changes.

Council member Torres asked B. Tardy and J. Nadrizny if they could testify to the committee that they have read the changes and agree that this is the best possible language for the Purchasing Ordinance. He asked if they took into consideration transparency and protection of the public interest when writing this ordinance. They agreed yes.

Council member DeJesus asked if the Purchasing Department could furnish monthly reports. Council member Torres asked if the reports for the City Council Members can be delivered digitally, rather than paper reports. J. Paul-Arndt said she would check with the City Clerk’s Office to make sure digital reports to Council Members are acceptable.

Council member Martinez recommended that the committee members take their time to review the documents, and prepare questions they have.

S. Brannelly said the questions need to be forwarded to the Committee Chair, for referral to the Staff.

**\*\* COUNCIL MEMBER MARTINEZ MADE A MOTION TO TABLE  
\*\* COUNCIL MEMBER TORRES SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

Council member asked if there will be a public hearing on this. Atty. Trachtenburg said the hearing will happen after the committee approves the amendment.

**38-13 Proposed Amendments to the Municipal Code of Ordinances, Chapter 3.12 Equal Opportunity Requirements for Contractors, amend Section 3.12.130 Minority Business Enterprise Program.**

Council member Torres suggested the committee take time to review these documents and prepare questions for Staff, via the Chair.

**\*\* COUNCIL MEMBER TORRES MADE A MOTION TO TABLE  
\*\* COUNCIL MEMBER MARTINEZ SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

**80-13 Proposed Amendments to the Municipal Code of Ordinances, Chapter 12.28 Park Use Regulations, amend to add new Section 12.28.210 Regulation Banning Smoking in City Parks.**

Council member S. Brannelly and Professor A. Greer appeared to present.

Council member Brannelly said the proposed regulation has been reworded, in the final paragraph, to specify those areas of City parks where smoking is not allowed; city playgrounds, sports fields and any beach.

Council member DeJesus said the point of this is that it is a health issue which he very much supports. He is just not sure where to draw the line, and not take people's rights away. He questioned the use of the words carrying, burning, and said that e-cigarettes are a vapor, and have no health issue.

Council member Brannelly said this version is the next step, and it is a work in progress. Carrying and burning is someone walking with a lit cigarette.

Professor Greer said the World Health Organization (WHO) recently said they are actually regulating e-cigarettes because there are toxins emitting out into the air.

Council member DeJesus said he thinks this is a good idea to limit the smoking areas.

Council member Martinez said she is concerned this wording is a little broad, and also who will educate and inform the community on this change, what signage needs to be put up and what is the budget for this.

Council member DeJesus suggested the no-smoking area should include 'X' amount of feet from/around the ball field.

Council member Torres said he believes this proposal has very good intentions. He asked about enforcement, said confiscation at the site should be the most rigorous response, a warning component should be added. He also suggested a 1 year transition period to educate and inform the public.

Council Member DeJesus asked what the consequence is for someone smoking inside a public building.

Council member Brannelly said she will get the No Smoking in Public Building ordinance for the committee's information. She said the purpose of this is to create a healthier climate, not intended to have a team of police to catch people.

Council member Martinez restated her concerns about education, signage/budget, police involvement and a copy of the current ordinance.

Council member Torres asked if the State has an ordinance that will apply here. He said the Council can send a strong message on this issue.

**\*\* COUNCIL MEMBER MARTINEZ MADE A MOTION TO TABLE PENDING  
FURTHER INFORMATION  
\*\* COUNCIL MEMBER DEJESUS SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

**ADJOURN**

**\*\* COUNCIL MEMBER DEJESUS MADE A MOTION TO ADJOURN  
\*\* COUNCIL MEMBER MARTINEZ SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

**\*\* COUNCIL MEMBER DEJESUS MADE A MOTION TO WITHDRAW MOTION  
TO ADJOURN**

**\*\* COUNCIL MEMBER MARTINEZ SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

**MINUTES**

**Approval of Committee Minutes: May 28, 2014 – Regular Meeting**

**\*\* COUNCIL MEMBER DEJESUS MADE A MOTION TO TABLE  
\*\* COUNCIL MEMBER MARTINEZ SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

**ADJOURNMENT**

**\*\* COUNCIL MEMBER DEJESUS MADE A MOTION TO ADJOURN  
\*\* COUNCIL MEMBER MARTINEZ SECONDED  
\*\* MOTION PASSED UNANIMOUSLY**

Meeting adjourned at 7:57 PM

Respectfully submitted,

Jill Kuzmich  
Telesco Secretarial Services