

**CITY OF BRIDGEPORT  
ORDINANCE COMMITTEE  
REGULAR MEETING  
JUNE 28, 2016**

**ATTENDANCE:** Eneida Martinez, Co-Chair; Kathryn Bukovsky, Jose Casco, Co-Chair; Michelle Lyons

**STAFF:** Thomas Gaudett, Mayor's Office  
Jeanette Herron, Council Member  
Nessah Smith, Council Member  
Mark Anastasi, Associate City Attorney  
Frank Memoli, Housing Code Enforcement Office

**OTHERS:** Ernest Newton, representing Ban-the-Box

**CALL TO ORDER**

Co-Chair Martinez called the meeting to order at 6:15 PM. A quorum was present.

She introduced all the participants at the meeting and reviewed all procedures for the meeting.

**APPROVAL OF MINUTES: MAY 24 (REGULAR MEETING)**

- \*\* COUNCIL MEMBER BUKOVSKY MOVED TO APPROVE THE MINUTES FOR MAY 24.
- \*\* COUNCIL MEMBER CASCO SECONDED.
- \*\* THE MOTION PASSED UNANIMOUSLY.

**APPROVAL OF MINUTES: JUNE 6 (PUBLIC HEARING)**

- \*\* COUNCIL MEMBER CASCO MOVED TO APPROVE THE MINUTES FOR JUNE 6.
- \*\* COUNCIL MEMBER LYONS SECONDED.
- \*\* THE MOTION PASSED UNANIMOUSLY.

**AGENDA ITEM 12-15**

**PROPOSED REQUEST THAT THE TAKING OF VEHICLES AND THE ACTION OF “BOOTING” MUST ONLY BE EMPLOYED AFTER MULTIPLE OFFENSES AND THAT NOTICE IS PROVIDED TO THE APPROPRIATE CITY COUNCIL COMMITTEE FOR THEIR APPROVAL OF SAID ACTION.**

- \*\* COUNCIL MEMBER BUKOVSKY MOVED TO TABLE AGENDA ITEM 12-15, PROPOSED REQUEST THAT THE TAKING OF VEHICLES AND THE ACTION OF “BOOTING” MUST ONLY BE EMPLOYED AFTER MULTIPLE OFFENSES AND THAT NOTICE IS PROVIDED TO THE APPROPRIATE CITY

- COUNCIL COMMITTEE FOR THEIR APPROVAL OF SAID ACTION.**  
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**COUNCIL MEMBER LYONS SECONDED.**  
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**THE MOTION PASSED UNANIMOUSLY.**

**AGENDA ITEM 68-15**  
**PROPOSED AMENDMENTS TO THE MUNICIPAL CODE OF ORDINANCES,**  
**CHAPTER 2.38 CODE OF ETHICS AMEND SECTION 2.38.020 – DEFINITIONS**  
**AND SECTION 2.38 040C – COMMISSION ON ETHICS.**

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**COUNCIL MEMBER CASCO MOVED TO TABLE AGENDA ITEM 68.15,**  
**PROPOSED AMENDMENTS TO THE MUNICIPAL CODE OF ORDINANCES,**  
**CHAPTER 2.38 CODE OF ETHICS AMEND SECTION 2.38.020 – DEFINITIONS**  
**AND SECTION 2.38 040C – COMMISSION ON ETHICS.**  
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**COUNCIL MEMBER LYONS SECONDED.**  
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**THE MOTION PASSED UNANIMOUSLY.**

**AGENDA ITEM 69.15**  
**PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES,**  
**TITLE 2 ADMINISTRATION AND PERSONNEL, AMEND TO ADD NEW**  
**CHAPTER 2.125 – COMMISSION AND OFFICE OF GOVERNMENTAL**  
**ACCOUNTABILITY.**

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**COUNCIL MEMBER BUKOVSKY MOVED TO TABLE AGENDA ITEM 69.15,**  
**PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES,**  
**TITLE 2 ADMINISTRATION AND PERSONNEL, AMEND TO ADD NEW**  
**CHAPTER 2.125 – COMMISSION AND OFFICE OF GOVERNMENTAL**  
**ACCOUNTABILITY.**  
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**COUNCIL MEMBER CASCO SECONDED.**  
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**THE MOTION PASSED UNANIMOUSLY.**

**AGENDA ITEM 77-15**  
**PROPOSED RESOLUTION REGARDING THE CREATION OF A 180-DAY**  
**MORATORIUM CONCERNING THE REQUIREMENTS FOR LIQUOR STORE**  
**PERMITS**

This agenda item was not addressed.

**AGENDA ITEM 108-15**

Mr. Gaudett was present at the meeting to explain the identification card program and answer questions. He distributed an information packet to the Committee Members.

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**COUNCIL MEMBER LYONS MOVED TO ADD THE INFORMATION PACKET**  
**AS EXHIBIT A TO COMMUNICATION 108-15, PROPOSED AMENDMENT TO**  
**THE MUNICIPAL CODE OF ORDINANCES, TITLE 2 ADMINISTRATION AND**  
**PERSONNEL, ADD NEW CHAPTER 2.126 – MUNICIPAL IDENTIFICATION**  
**CARD PROGRAM.**  
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**COUNCIL MEMBER BUKOVSKY SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

Mr. Gaudett said the reason for the card program is because there are barriers to getting a form of identification, specifically citing immigrants as one group who experience barriers. He mentioned people who have been released from prison, who have no form of identification and who have problems at the DMV for this reason. Minorities, the elderly and young people also can benefit from this program, and he cited many practical reasons for the card as it will target the previously-mentioned groups of residents. The card is available to any resident of Bridgeport, the fee will be \$15.00 and there will be an eligibility process in which applicants will prove identity and local address by producing documents. There will be a fine of \$100.00 for card fraud.

Mr. Gaudett called attention to Section 2.126.30 which delegates authority to the Mayor to designate one government agency that will be in charge of the program. He said he was not absolutely sure, but he thought it would be Vital-Statistics that will administer the program. There will be a printer set up there. He then talked about the card design and said that their basic criteria of information which will be shown on the card, e.g. photo, name, address. It will be issued by the City of Bridgeport and there will not be discrimination in any of the traditional categories.

Through the Chair, Council Member Herron asked whether Vital Records is going to handle this or will somebody be hired. Mr. Gaudett answered that the plan is for current staff to handle this, but it depends on the flood of people. In the past, Mr. Gaudett said that, apparently in last year's budget, there was \$250,000 set aside for this program which was meant for possible personnel and things like that. He said he did not know what that money was spent and that the card program is asking for that budget item back. He said the quote for the card machine is \$12,000 and that, in the long run, the City will make a profit. He said it will be a huge profit and that the program is not meant to generate a profit, but it will not cost the City.

Council Member Herron then asked about whether a donor ID will be included on this card like the DMV. Mr. Gaudett did not know, but said he would inquire about that. Council Member Herron mentioned the card fees and referenced DMV fees. She said that non-driver identification only costs \$10 - \$20 dollars, and she felt that this new City card program will have to be mindful of that. Mr. Gaudett did not know what DMV fees are. Council Member Herron then stated that the City is planning things and the information is great, but the Committee needs to know these things at the table if there are going to be fees involved which might be more than DMV charges.

Council Member Herron asked about proof of residence for immigrants who come here and all their proof is in different language, and she wanted to know if there would be somebody to decipher that. Mr. Gaudett said it would be left up to the agency, according to the rules, whether documentation is accepted. He said if it is illegible, the agency may not accept it. Council Member Herron said she was not talking about it being illegible, but rather about documents needing English translation. She said she was concerned about this because she does not want people, coming to the City from other counties to experience any translating barriers. Mr. Gaudett said this would be part of the administration process and not what is put in front of them at this meeting. Council Member Herron said that they still need to know this. After doing a check, Mr. Gaudett then added that \$22.50 is the price of the card. Council Member Herron said they would need to be at that level or a little less.

Through the Chair, Attorney Anastasi wanted to point out that there is a certain federal law which requires organizations, and he referenced the GBTA, to provide translation services. He said the GBTA has a great program for this. Mr. Gaudett said some kind of process would be implemented for this purpose. Mr. Gaudett said that he cannot do anything to the program until it is approved, and then he can call other cities to get specific information about implementing the Bridgeport card program.

Attorney Anastasi brought up Exhibit A, the Section on Confidentiality and Information, Retention of Documentation, and stated that, if the City actually accepted documents, it would be vulnerable to both the FOIA and the State Records Retention Act and will be responsible for not destroying these document. He said if someone if just showing a document and the document is not kept, it is a different issue. He said that this uses the term "Retention", which means that anything retained cannot be destroyed.

Co-Chair Martinez interjected that it seemed to her that this has not been as thoroughly done as it should have been, and it appeared that the City Attorney's Office had not fully reviewed this. She said the Committee cannot vote for something which has not been fully completed as it should be. She then raised another concern about providing any information they are doing in-house to anyone else, such as the GBTA which was referenced by Attorney Anastasi. She said that whatever is going on here, should stay in-house. She also stated that she had a problem with the \$250,000 that was spent, but that it was a prior administration. Attorney Anastasi clarified that he brought up the GBTA only in terms of asking assistance from them regarding federal compliance with translation services, and it has nothing to do with the ordinance.

Co-Chair Martinez voiced another concern regarding having a plan in place where a pool of temp workers in Vital Statistics to assist with the long lines Co-Chair Martinez is anticipating when the card program starts. She said it would not look good for the City of Bridgeport if individuals are turned away. She said there was only one Spanish-speaking person in the department and that more help is needed with the individuals who do not speak English. She said that her belief is that there is not enough manpower in Vital Statistics right now to handle this. Co-Chair Martinez also talked about the fee, saying that it is too high for immigrants who come here with nothing, but that it would be for the Committee Members to vote on that.

Through the Chair, Council Member Casco stated that the fee of \$15.00 is very reasonable compared to the comparison he made to the Post Office ID card fee which is \$60.00. He also asked whether there will be anything on the card which will prevent someone from voting. Mr. Gaudett affirmed that the card can be used for voting, but said that an undocumented person would not be able to vote due to citizenship status. Council Member asked for clarification on whether there would be any difference on the cards between documented and undocumented residents. Mr. Gaudett said that it is not the intent of the program for the card to indicate that.

Council Member Bukovsky said, in other words, that the card can be used to identify yourself, but it cannot be used to register to vote with the Registrar's Office. Mr. Gaudett said he did not know exactly and would ask about it. Council Member Bukovsky clarified that, if a person who is not a U.S. citizen can get one of these, it probably cannot be used to register to vote.

Council Member said she was confused about the program administration. She said that Mr.

Gaudett first started by saying that it would be done in-house by Vital Statistics, then she made reference to his statement that the program would be expanding on an already-existing contact, and she then made reference to his statement about signing a contract with a vendor. She wanted to know how many different entities are involved. Mr. Gaudett said that, in order to print these, the City just needs as vendor that has a company that can sell the printer and the technology to produce the cards. He said that was the vendor portion. He said that the City already has a contract with vendor of this type for printing in other departments. Council Member Bukovsky asked what other municipalities charge for these cards to which Mr. Gaudett answered that New Haven charges \$11. Council Member Bukovsky said she agree with Council Member Casco about the fee being reasonable.

Council Member Bukovsky brought up the ineligibility of documents and stated that her Exhibit A required that documents should be current or not be expired for more than five years from date of application. She wanted to know if this rule was standard to which Mr. Gaudett replied that he had copied this from other municipalities in Connecticut and around the country which also mirror each other. Council Member Bukovsky said it seemed like a long period of time to allow for an expired document. Attorney Anastasi offered his understanding of this which has to do with undocumented immigrants living in the shadows who might not have current documents. Mr. Gaudett also said that the card administration can determine the acceptability of expired documents and can, perhaps, adjust the five years lower. He said that the administering authority is given the “common sense” option when approving documents. Mr. Gaudett then affirmed that produced documents would not be retained and only shown over-the-counter.

Through the Chair, Council Member Lyons stated that a lot of the questions she was going to ask have been answered and also said that following New Haven's lead is a good idea because New Haven is a good partner for Bridgeport. Talking about the confidentiality aspect of producing documents, she said there is no problem if the documents are not retained. She agreed with Council Member Casco about the reasonable fee, but she wanted someone to check with the Post Office about its program for translation services and document verification.

Council Member Casco wanted to know what age applicants have to be to which Mr. Gaudett answered he thinks it is open to anybody. Council Member Casco stated that the program will be beneficial for the community and that policemen say it is hard to keep people in prison due to lack of identification.

Through the Chair, Council Member Bukovsky stated that, for purposes of the ordinance, the information provided is sufficient to be entered into as an ordinance, and that it is up to the administering agency to make the program operates the way it should. Mr. Gaudett stated that, legally speaking, the ordinance is sound.

- \*\* COUNCIL MEMBER BUKOVSKY MOVED TO APPROVE COMMUNICATION 108-15, PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES, TITLE 2 ADMINISTRATION AND PERSONNEL, ADD NEW CHAPTER 2.126 – MUNICIPAL IDENTIFICATION CARD PROGRAM.**
- \*\* COUNCIL MEMBER LYONS SECONDED**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

- \*\* COUNCIL MEMBER CASCO MOVED TO SCHEDULE A PUBLIC HEARING ON JULY 5, 2016 AT 6:00 PM REGARDING COMMUNICATION 108-15, PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES, TITLE 2 ADMINISTRATION AND PERSONNEL, ADD NEW CHAPTER 2.126 – MUNICIPAL IDENTIFICATION CARD PROGRAM.**
- \*\* COUNCIL MEMBER LYONS SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**AGENDA ITEM 128-15**

**PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 2.38 CODE OF ETHICS, AMEND TO ADD NEW SECTION 2.38.050 PROVISION CONCERNING SUBSEQUENT EMPLOYMENT.**

- \*\* COUNCIL MEMBER LYONS MOVED TO TABLE AGENDA ITEM 128-15, PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 2.38 CODE OF ETHICS, AMEND TO ADD NEW SECTION 2.38.050 PROVISION CONCERNING SUBSEQUENT EMPLOYMENT.**
- \*\* COUNCIL MEMBER BUKOVSKY SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**AGENDA ITEM 129-15**

**PROPOSED AMENDMENTS TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 15.12 HOUSING CODE, AMEND SECTIONS: 15.12.250.**

- \*\* COUNCIL MEMBER CASCO MOVED TO TABLE AGENDA ITEM 129-15, PROPOSED AMENDMENTS TO THE MUNICIPAL CODE OF ORDINANCES, AMEND CHAPTER 8.76 ANTI-BLIGHT PROGRAM**
- \*\* COUNCIL MEMBER LYONS SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**AGENDA ITEM 01-15**

**PROPOSED AMENDMENTS TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 15.12 HOUSING CODE, AMEND SECTIONS: 15.12.250.**

- \*\* COUNCIL MEMBER BUKOVSKY MOVED TO TABLE AGENDA ITEM 01-15, PROPOSED AMENDMENTS TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 15.12 HOUSING CODE, AMEND SECTIONS: 15.12.250.**
- \*\* COUNCIL MEMBER BUKOVSKY SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**AGENDA ITEM 146-15**

**PROPOSED RESOLUTION REGARDING “BAN-THE-BOX” TO INCLUDE ALL PREVIOUS CITY PURCHASING SUB-CONTRACTS AND GENERAL MUNICIPAL BIDDING.**

Co-Chair Feliciano reiterated that this is to specifically include all previous City Purchasing Sub-Contracts and General Municipal Bidding. Attorney Anastasi stated that, although this item was submitted to the Ordinance Committee, it is not an ordinance, per se, if it is read carefully. He said that this item states that the Council will authorize the Committee to work with the City Attorney to come up with something. He respectfully suggested the Council does not need to do that, since there is a State Public Act that comes into effect. He read an amendment to Statute 31-51(i) which states “No employer shall inquire about a prospective employee's prior arrests, criminal charges or convictions on an initial employment application unless (1) the employer is required to do so by applicable state or federal law or (2) a security or fidelity bond or equivalent bond is required for the position for which the employee is seeking employment.” Attorney Anastasi reiterated that the State has already adopted this and it goes into effect on January 1, 2017.

Co-Chair Martinez said that she had drafted the resolution the purpose of which is not to eliminate all of the boxes on purchasing or sub-contracting or bidding process, but to make questions more understandable where an individual would not find themselves in a predicament because they answered a question according to their understanding of the question. Attorney Anastasi said that it was fine if the Committee wanted to have a working group modify the documentation that is presently used by the Purchasing Dept., but that the Purchasing Dept. should be involved.

Through the Chair, Council Member Lyons addressed Attorney Anastasi and referenced his comment about it not needing to be done, but she wanted to make sure that the State Statute covers everything included in the Committee's resolution. She said she does have the actual bill. Attorney Anastasi reiterated that it covers the issue of not requiring people to disclose their prior criminal records on an initial application, which is known as Ban-the-Box. Mr. Gaudett interjected, saying that he is looking at the Statute and he does not think that this covers purchasing. Ban-the-Box, the state law which does into effect on January 1, 2017 is already banning-the-box the way Bridgeport has already banned-the-box, is for employment purposes. He said the Committee is looking for a resolution talking about purchasing and looking at vendors. Attorney Anastasi started to say he did not think so, but Co-Chair Martinez interrupted, affirming what Mr. Gaudett said. She continued that the resolution specifically says, “...Ban-the-Box for purchasing, sub-contracting and general municipal bidding.” She said that if the Purchasing Dept. did show up, it is because they chose not to. Council Member Lyons interjected that, usually when something is done on the State level, it is a generalization and does not specifically target certain items. Attorney Anastasi said he was confused, directing the Committee to go to a part of the resolution which he read: “Now, therefore, the City Council hereby asks that that the Committee or Ordinances work with the City Attorney to create a City ordinance that ensures that persons and businesses supplying goods and services to the City of Bridgeport have adopted and employed fair hiring policies that are consistent with the City's goal of removing obstacles to the employment of persons with prior convictions and retroactivity.” He said that says nothing about changing the disclosure process on bids, but that it talks about adopting an ordinance that will make sure that people who do business with the City will have fair hiring policies on their workforce. He said that what he just read did not reflect the stated purpose. Co-Chair Martinez said that there is already an ordinance in place which could be amended to include specific changes. Attorney Anastasi said he would not mind working on changes, but he said that the language of the resolution is addressed in the State statute.

Co-Chair Martinez then allowed Mr. Newton to speak on behalf of this resolution. Mr. Newton expressed his disagreement with Attorney Anastasi on the comparison between the State statute and the City resolution. He went on to explain his understanding of Bridgeport's Ban-the-Box and how it was instituted by Mayor Fabrizi. Co-Chair Martinez said that she wanted to table the ordinance for now and would revisit it after changes have been made to the resolution which more clearly reflect the Committee's intent. She said it would be put before the Committee again. Council Member Lyons said that she would like to see the State statute and the resolution examined to see what lines up between the two. She affirmed what Co-Chair Martinez said about the intent of the resolution pertaining to the understanding of the questions from Purchasing Department.

**\*\* COUNCIL MEMBER LYONS MOVED TO TABLE AGENDA ITEM 146-15, PROPOSED RESOLUTION REGARDING "BAN-THE-BOX" FOR FURTHER INFORMATION AND TO PUT THINGS IN A CLEARER MANNER.**

**\*\* COUNCIL MEMBER CASCO SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**ADDENDUM ITEM 151-15**  
**PROPOSED AMENDMENTS TO THE MUNICIPAL CODE OR ORDINANCES,**  
**AMEND CHAPTER – 10.16 PARKING METERS.**

This addendum item was not addressed.

*At 7:20, Council Member Bukovsky said she would have to leave the meeting as the addendum item presented a conflict of interest.*

Co-Chair Martinez noted that there was no longer a quorum present.

The Committee Members, Attorney Anastasi and Mr. Gaudett tried to find alternate ways to continue to conduct the meeting. Council Member Lyons received a call which caused her to have to leave the meeting immediately at 7:22. There was no way to conduct the meeting any further.

**\*\* COUNCIL MEMBER CASCO MOVED TO ADJOURN THE MEETING.**

**\*\* COUNCIL MEMBER BUKOVSKY SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

Co-Chair Martinez adjourned the meeting at 7:25.

Respectfully submitted,

Nerina Kagan  
Telesco Secretarial Services