

**CITY OF BRIDGEPORT
BUDGET AND APPROPRIATIONS
COMMITTEE
SPECIAL MEETING
APRIL 15, 2021**

ATTENDANCE: Ernest Newton Co-chair; Scott Burns, Co-chair; Jorge Cruz, Jeanette Herron, Matthew McCarthy, Mary McBride-Lee (5:16 p.m.), AmyMarie Vizzo-Paniccia (6:00 p.m.)

OTHERS: Council Member(s): M. Pereira, M. Lyons, R. Roman-Christy, M. E. Brantley & M. Brown; N. Nkwo, OPM Director, Thomas Gill, Director, OPED; Jon Urquidi, City Engineer; R. Christopher Meyer, City Attorney; Atty. Mark Anastasi, Atty. Tyisha Toms, Atty. John Bohannon, Barbara, Margo Litz, 203-576-7965; 203-209-1058

This meeting was conducted by Zoom/Teleconference.

CALL TO ORDER

Co-chair Newton called the meeting to order at 5:03 p.m. A quorum was present.

CITY ATTORNEY'S OFFICE

Council Member Newton said that they would be reviewing the City Attorney's budget requests on pp 88-89.

Council Member Newton said that he was disappointed in the City Attorney's Office because the other night the Contracts Committee had to table a contract because the City Attorney who had created the contract had not come to the meeting. There are 10 Associate Attorneys and there have been Contract meetings when there have been no attorneys present.

Mr. Nkwo pointed out that there were 11 attorneys, the City Attorney and 10 Associate Attorneys. He explained that the two collections aides work for the WPCA and the City is reimbursed for their salaries.

Council Member McCarthy asked where the reimbursement was listed. Mr. Nkwo indicated the line item.

Council Member Pereira said that there was an increase in the paralegal line. She also had questions about a secretary position. Mr. Nkwo said that with union positions, there are step increases and bargaining units. He reminded everyone that NAGE had received retroactive pay increase. Discussion followed.

Council Member Lyons stated that she had joined the meeting at 5:12 p.m.

Council Member Burns directed everyone to page 93 for the Operational Budget. The litigation services were reduced by \$23,000.

Council Member Newton asked what the budget would be for outside counsel. City Attorney Meyer said that it was \$625,000.

Council Member McBride-Lee joined the meeting at 5:16 p.m.

Council Member Burns asked why the MERF figure had increased. Mr. Nkwo said that the State had increased the rate. Over the next five years, the MERF will increase by \$13 million dollars.

Council Member Roman-Christy joined the meeting at 5:20 p.m.

Council Member McCarthy said that Legal Services had shown a decrease in the last two years, but then recently there was an increase.

Mr. Flatto explained that that the auditors used an accrual method for the Legal Services settlements. Mr. Nkwo said that the auditors made it very clear that if the City knows of a pending lawsuit, they are required to use an accrual formula. Atty. Anastasi added that they include not only the anticipated settlement, but the cost of the attorneys on that line item. He added that there were also conflicts of interest that require outside counsel. Discussion followed about the details.

Council Member Pereira objected to Atty. Anastasi addressing the Committee because he is not a City Attorney. Council Member Newton replied that he had no problem with Atty. Anastasi speaking.

Council Member Pereira said that the City Attorney had exceeded their budget by \$900,000 and asked when the City Council approved this. Mr. Flatto said the funding was set aside in reserve when they anticipate a potential settlement. The auditors recommend this and are aware of it.

Council Member Pereira said that there was no authority to reserve these funds per the City Charter. It is a violation of the City Charter. The auditors do not read the City Charter, they review spreadsheets.

Council Member Pereira repeated her question regarding when it was presented to the City Council for approval. Mr. Flatto said that he hadn't presented it but would do it in the future.

Council Member Cruz asked about WPCA references on page 13, which Mr. Nkwo reviewed with him.

Council Member Pereira said that every one of the five categories on page 88 had overages for FY 2020. Council Member Burns pointed out that what was on page 88 is not the actual amount that had been spent. That information is in the monthly reports. Council Member Newton said that Mr. Nkwo could get back to Council Member Pereira with the information.

City Attorney Meyer said that there were 20 employees in the Department and this was a drop from the previous 22 employees. The staff operates as teams on different topics. They have dedicated more resources to providing attorneys for the Committees. The office is now bi-lingual. They are handling more cases and winning more summary judgments. They are also focused on reducing liability. Mr. Nadrizny, the Public Facilities Director, installed cameras on the back of the Public Facilities trucks which has decreased the number of collisions. They are also decreasing liability with building inspections.

Council Member Newton asked City Attorney Meyer about pg. 90 which lists the WPCA items. City Attorney Meyer said that Atty. Toms would be the one who would cover the topic in her presentation.

Atty. Bohannon said that this was a successful year and there were several court judgments in the City's favor. He spoke about police accountability and the State Police Accountability Act that will start on July 1, 2021. There will be some significant training that will have to be done for the officers so they understand the new laws. In all probability, there will be an uptick in the number of cases as the parameters of the new laws are tested.

Council Member Vizzo-Paniccia joined the meeting at 6:00 p.m.

City Attorney Meyer said that the City Attorney's Office was providing some of the training from their budget and also would be providing a prosecutor for the Police Department.

Atty. Toms reviewed the number of FOI requests for 2020 which was up 9%, which was over 900 requests. The FOIA complaints were down 13% and two appeals to Superior Court. The one Superior Court case that has been decided was in the City's favor. The scope of the FOIA requests have increased in complexity.

There were 75 Tax Appeals last year, and they are anticipating over 300 appeals this year due to the re-evaluation.

Atty. Toms said that when a grant comes in, they review the contacts and follow through on the terms of the contract.

The WPCA foreclosures have decreased to about 144. Atty. Toms reviewed the details with the Committee and explained that the cases were not moving through the courts as they normally would.

WPCA collections were down, due to the recent Public Act 18-174, which has a lower interest rate of 15%. The collection rate for referring to outside counsel for collections has been raised to \$2,500.

Atty. Toms listed a number of changes involving PURA storm events, particularly regarding medical hardship customers.

Atty. Toms also explained that they handle a number of procurement processes, such as the Motorola radios for the Fire Department, the Lead Free program, certificates of insurance,

MOUs for the Red Cross, the EMAS vandalism, assisting MIRA, long term leases, the ELC grant positions and a variety of other contracts for COVID related initiatives.

Council Member Newton asked Atty. Toms if she had noticed any changes in the number of foreclosures. Atty. Toms said that they had filed fewer foreclosures, but some of that decrease may be attributed to COVID.

Council Member Cruz asked about some information on page 90 and the new PURA requirements. He wished to know what the City Attorney's Office was doing to help people avoid foreclosure.

Atty. Toms said that they had changed the policy as required by State of Connecticut Public Act 18-174. The City always have had a payment plan, but they have clarified the process.

Council Member Burns asked about Anti-Blight Collection and also wished to know about the FOI requests.

Atty. Toms said that the FOI requests have increased because people are more aware of the Act and they use it to make money. The portal opened in 2017, and the cases increased from 216 requests to 582 requests. The law requires that the requests are handled in the order in which they are submitted.

Mr. Nkwo said that the anti-blight collections are placed into the housing code as a revolving account to clean up the City owned properties.

Council Member McCarthy asked if there was a list of FOI complaints and how much time those complaints take to resolve.

Atty. Toms said that the complaints take longer because they require the staff to attend hearings. The more efficiently they handle the requests, the fewer the complaints. Last year, there were 13 complaints.

Atty. Toms said that the list would be available on the FOI website.

Council Member Herron asked how long it would take a homeowner to get to \$2,500 threshold. Atty. Toms said that a single family resident would be about \$300 a year, so it would take a number of years to get there. A multi-family residence would reach the threshold earlier.

Council Member Brantley asked about the assistance that the attorneys had given to MIRA. She asked if they help with expunging clients' records. Atty. Toms said that this was not something that their office had ever done before.

Council Member Brantley asked if Atty. Toms felt that the WPCA collections was being handled by the Attorney's Office. Atty. Toms said that the collections aides were not new. Atty. Anastasi explained that the collections aides have been with the department for more than 15 years.

Council Member Pereira asked why all the goals in this budget book was the same as last year.

City Attorney Meyer said that since their office was closed this year, their primary focus was elsewhere.

Council Member Pereira said that the last year's goals were marked complete but were carried over into this year.

Council Member Pereira then read a State statute about FOI requirements. Council Member Pereira said that she knows FOI inside out and City Attorney Meyer's statement was not accurate.

Council Member Brown asked about the change in the interest rate change from 18% to 15%. Atty. Toms said that the interest rate was agreed to through negotiation with PURA.

Council Member Brown asked about the use of certified mail for WPCA bills. Atty. Toms said that she would take that suggestion under advisement.

Council Member Newton said that the Committee Members and other Council Members should submit the questions to the Co-chairs and they will forward it to the Departments. The Department Directors have been instructed not to send any information out to Council Members who had not asked through the Co-chairs.

Council Member Burns said that he would like some clarification about the staff positions. He pointed out that there were 19 positions added, and City Attorney Meyer said that they have 20.

City Attorney Meyer said that they have three collection aides. Mr. Nkwo said that one of the aides was paid by the WPCA. Atty. Anastasi pointed out that it shows on the Organizational Table. Mr. Nkwo said that it would not show in the City's payroll.

Council Member Newton thanked everyone for coming. He said that every year, City Attorney Meyer says that the attorneys would be at the Council meetings, but they don't come. It's just not happening.

ADJOURNMENT

**** COUNCIL MEMBER CRUZ MOVED TO ADJOURN.**

**** COUNCIL MEMBER HERRON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 6:41 p.m.

Respectfully submitted,

Telesco Secretarial Services