

**CITY OF BRIDGEPORT
JOINT COMMITTEE ON ECONOMIC AND COMMUNITY
DEVELOPMENT AND ENVIRONMENT
AND CONTRACTS
SPECIAL MEETING
APRIL 19, 2021**

ATTENDANCE: **Contracts**
Matthew McCarthy, Co-chair
Jeanette Herron, Co-chair
Jorge Cruz
Ernest Newton

ECD&E
Maria Valle, Co-chair
M. Evette Brantley, Co-chair
Scott Burns
Alfredo Castillo
Rosalina Roman-Christy

OTHERS: Council President A. Nieves; Council Member(s): E. Martinez,
D. Taylor-Moye & A. Vizzo-Paniccia (5:35 p.m.); Thomas Gill, OPED
Director; Atty. Ron Pacacha, Barbara, Call In User 1, 203-414-0712; 929-
436-2866

This meeting was conducted by Zoom/Teleconference.

MEETING RECONVENED

Co-chair McCarthy reconvened the Joint Committee of the Economic and Community Development and Environment and Contracts Meeting at 5:30 p.m. A quorum was present.

46-20 Proposed Resolution seeking Approval of a Lease of City Property on the Site of the Former Pequonnock Apartments to allow the installation of a Digital Billboard to support the Harbor Yard Amphitheater Project.

Atty. Pacacha said that there was a leased area along the property. The change to the lease specifies that the sign company has access at the sole discretion of the City. The company said that they only need access from South Frontage Road. He added that the only time the sign company would need to bring in a large truck would be if they would have to change the entire digital display usually once every 10 years.

Council Member Burns said that he would like to see the City get a more favorable rent to \$50,000 rather than \$10,000. He reminded everyone that the Amphitheater had not been open and the City has not realized any rent from the venue.

Council Member Cruz said that he was not against the sign, but was concerned about any future development. He added that he agreed with Council Member Burns about more rent.

Council Member Castillo said that he was concerned about this and it would still have to be approved by the State. He said that he has been the liaison with the Housing Authority. The Amphitheater is a tenant. Now they want to come and use the property that the Housing Authority has worked so hard to acquire. He asked why Mr. Saffan could not just put his advertising on the other digital billboard. It was time to slow down. Finish the Amphitheater. It is not fair for the Bridgeport residents or whoever is going to be there. The Amphitheater hasn't even opened yet. No one is benefiting other than the people outside.

Council Member Vizzo-Paniccia joined the meeting at 5:35 p.m.

Mr. Gill said that the agreement that was signed has provisions for a sign. The sign would not impact the development. If Mr. Saffan has to sign a contract with the developer, then it will be the developer getting the revenue rather than the City. He said that he expected there would be about \$176,000 annually. The AGI site also already has a two sided billboard.

Atty. Pacacha said that the original contract included an agreement about the billboard. Steel Point has three billboards and still controls two of them.

Council Member Martinez asked how big the parcel was. She agreed with Atty. Pacacha that the Amphitheater would just find another location and the City would lose out.

Atty. Pacacha said that the new map was hard to read but the parcel was approximately 30 feet and 40 feet. He reminded everyone that the City had acquired the parcel where the old apartments were from the BHA.

Council Member Valle said that she agreed that they should slow down and make sure that any development will not be affected by the sign.

Council Member Newton said that he was more interested in the fact that Council Member Burns had suggested a rental increase. He said that he believed what OPED was saying that there was no impact. He asked Mr. Gill if he could up the rent a bit.

Mr. Gill said that he would speak to Mr. Saffan and see what he thinks.

Atty. Pacacha reminded everyone that they were supposed to get \$10,000 plus a percentage of the revenue. The contract would be fixed for the first 10 years and there would be a slight increase during the second ten years.

Council Member Pereira said that the lease document was not posted on the City website and when she checked, it was not there. She asked why it was not available on the City website before the meeting, during the meeting and after the meeting.

Council Member Burns said that the lease was included as part of the package two weeks earlier. Council Member McCarthy said that the document had been sent to the City Clerk's office on April 14th.

Council Member Pereira said the Committee said that the Amphitheater felt they had rights to the parcel but according to Council Member Castillo the parcel was just acquired in the last few months. She said that it was required under State Statute that any parcel owned by the City of Bridgeport has to go out on bid. They should not be offering as a one on one agreement without an RFP. It doesn't matter if it is a structure, Wonderland of Ice, a restaurant, movie theater or parcel. She thought Lamar would offer much more money for that piece of property. Lamar and other companies would definitely compete for this. She asked what the basis was for not putting it out to bid as required by the State Statute and the City Charter.

Atty. Pacacha asked for the Statutory reference requiring the RFP for anything involving City property.

Council Member Pereira said that any item, goods or services must go out if it is valued at \$25,000 or greater must go out to bid. This City property, owned by taxpayers, is being offered to one specific developer and not opened up to the general public.

Atty. Pacacha said that Council Member Pereira's reference was for Purchasing Ordinance but it does not relate to a lease of City owned property. Leases similar to this have been done in the past and have gone to the City Attorney's because that is what is required. They are then sent to the Planning and Zoning Commission for 8-24 approval. The use of the property is consistent with the Master Plan and the process often takes a long period with many different hearings. It is not a purchase of goods or a sale which is covered by the Purchasing Ordinance.

If a developer approaches the City with a proposal, it may not require an RFP. He said that this was not a sale, but a transaction that the Amphitheater management proposed. Mr. Saffan is requesting the Council to approve putting a billboard on the property near I-95 similar to the Arena billboard. It is a better financial arrangement for the City and is going through the Council procedure and the Zoning officials. The State officials have additional jurisdiction over the billboard. Mr. Saffan said that he had stated that he would be seeking permission when he spoke about the amphitheater agreement.

Council Member Pereira said that the statute was a State Statute requiring anything over \$25,000 must have an RFP. She repeated that the property was owned by taxpayers. She said that Lamar might be interested and stated that this proposal was unlawful. It should go out to bid for the best proposal for the taxpayers and residents of Bridgeport. She said that she was troubled that this developer has come before the Committee right before the Council Meeting.

Council Member Martinez said that she supported Council Member Burns' suggestion about increasing the rent.

Council Member Castillo said that he felt disrespected when Atty. Pacacha said that if the developer might take his business elsewhere. The City worked hard for that parcel and it is a City

property. If he wants to put a sign, it should be on City property that he already leases. The only person who will make money there will be Mr. Saffan. He said that they need to put the brakes on this.

Mr. Gill said that OPED had put out an RFP and the Amphitheater won the RFP. Included in that agreement is not only the sign, but the parking for the Arena and the Amphitheater. He reminded everyone that he had worked on the BHA agreement. The City will also get benefits of advertising.

Atty. Pacacha said that he did not intend to be disrespectful but was simply making a point that if the request is denied, then the developer can go elsewhere and the City will lose out on the revenue. The sign cannot be placed on Amphitheater property because it would be too close to the building.

Council Member Burns asked for clarification on the contract. Atty. Pacacha reviewed the details with the Committee.

Council Member Burns asked what the commencement date was. Atty. Pacacha explained that there was a certain milestone that would begin the process such as the Certificate of Occupancy. He added that there was also a legal term called a Force Major, which is an unavoidable delay, like COVID. He said that COVID would have qualified for that legal condition.

Council Member Brantley said that Council Member Pereira had mentioned to Lamar and Barrett, She pointed out that the land had been vacant a long time, so they could have expressed their interest.

Council Member Brantley suggested that copies of the RFP be sent out to the Council Members so they would know that the process was followed.

Council Member Brantley said that she would also support the suggestion of increasing the rent.

**** COUNCIL MEMBER BRANTLEY REQUESTED TO MOVE THE QUESTION AFTER COUNCIL MEMBERS CRUZ, NEWTON AND TAYLOR-MOYE SPEAK.**

Council Member Newton said that many people had voted for the contract. In the contract, it mentioned the billboard and the developer has a binding contract with the City. The City needs to honor their contracts. The property has been vacant for a long time. He agreed with Council Member Brantley that the other companies could have approached the City about having a sign there.

Council Member Newton said that he wanted it on the record that Mr. Saffan had not called him about the sign. He said that since Council Member Pereira mentioned that Mr. Saffan had spoken with a Council Member, he wanted it clear that Mr. Saffan had not called him.

Council Member Newton agreed with Council Member Burns that if they could get more money, they should. The sign is not blocking the property that Council Member Castillo mentioned.

Council Member Newton reiterated that Mr. Saffan has a contract with the City and it does mention a sign. It is time to move on.

Council Member McCarthy asked whether the Committee could vote on this if they were requesting an increase in the rent.

Council Member Newton stated that they could amend this on the floor if that is what they choose to do. He cautioned people against stopping the item in all fairness to Mr. Saffan.

**** COUNCIL MEMBER CASTILLO MOVED TO TABLE THE ITEM FOR MORE INFORMATION.**

Council Member Castillo stated that Mr. Saffan was a lessee, not a developer.

Council Member Newton reminded everyone that there was a motion on the floor to move the question once the other two Council Members speak, which preceded the motion to table.

Council Member McCarthy reiterated his earlier questions regarding whether the Committee could vote on this if they were requesting an increase in the rent.

Atty. Pacacha said that they could vote on it subject to an increase in rent from \$10,000 to \$50,000 and then if Mr. Saffan agrees to that amount, the Council could move forward with the full Council. He added that he did not think that it would be necessary to table the matter.

Council Member Brantley repeated her request that Council Member Cruz and Taylor-Moye be allowed to speak before the question was moved.

Council Member Cruz said that he was supporting this project. He also wished to clarify that he had called Mr. Saffan because he felt it was his obligation and was concerned about the future development. Mr. Saffan did not call him. He said that he was in favor of the billboard and that it was fair because others had signs up there.

Council Member Taylor-Moye said that she was happy to hear Council Member Cruz say he was supporting this. This is marketing. She said that she could not understand why Council Members could come to the South End District and interfere without talking to her. She said that she would not go into someone else's district and tell them what to do. Mr. Saffan did not contact her and she was supporting it. The dog and pony show needs to stop.

Council Member McCarthy said that there was a motion on the floor to move the question. He said that he would like it to reflect the increase in the rent that was proposed by Council Member Burns subject to an increase to \$50,000 base rent per year.

**** COUNCIL MEMBER BRANTLEY MOVED THE QUESTION AND VOTE ON AN INCREASE FROM \$10,000 TO \$50,000 PENDING THE OUTCOME WITH THE AGREEMENT WITH THE AMPHITHEATER.**

Atty. Pacacha said that they had to amend the original resolution to include not only the changed language about the access way and the changed map that no longer shows an access way by substitution for the original map.

**** COUNCIL MEMBER BRANTLEY MOVED TO AMEND THE ORIGINAL CONTRACT TO ADD THE FOLLOWING CHANGES:**

**REPLACE THE PREVIOUS MAP WITH AN UPDATED MAP THAT REMOVED THE ACCESS ROUTE;
AND AN INCREASE FROM \$10,000 TO \$50,000 IN RENT PENDING THE OUTCOME WITH THE AGREEMENT WITH THE AMPHITHEATER MANAGEMENT.**

**** COUNCIL MEMBER NEWTON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER NEWTON MOVED TO APPROVE THE AMENDED VERSION OF THE AMPHITHEATER CONTRACT.**

**** COUNCIL MEMBER CRUZ SECONDED.**

Council Member Vizzo-Paniccia said that not all the Council Members voted in favor of this original contract. She said that this needed to be followed up so that they finalized the copy of the contract with the amendment.

Council Member Pereira said that she had received a copy of the amendment from Ms. Ortiz during the meeting. It is not posted on the website. She said she did not know how they were voting on something that was a violation of the Governor's Executive Order 7B. She will be filing a complaint about this.

**** THE MOTION PASSED UNANIMOUSLY.**

Council Member Newton asked for the copies of the exact language. Atty. Pacacha said that he has submitted the amendment and the updated map on the 16th. He went on to point out that the Planning and Zoning has to approve it before it comes back to Council.

ADJOURNMENT

**** COUNCIL MEMBER NEWTON MOVED TO ADJOURN.**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 6:34 p.m.

Respectfully submitted,

Telesco Secretarial Services

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