

**AGENDA**

**CITY COUNCIL MEETING**

**MONDAY, JANUARY 3, 2022**

**7:00 p.m.**

This meeting will be conducted by Teleconference.

The public may listen into this meeting by calling the following conference line and then entering the conference code:

**Dial-In Number: (929) 436-2866**

**Meeting ID: 381 083 245**

Prayer

Pledge of Allegiance

Roll Call

**MINUTES FOR APPROVAL:**

Approval of City Council Minutes: October 18, 2021

**COMMUNICATIONS TO BE REFERRED TO COMMITTEES:**

- 15-21** Communication from City Attorney re: Proposed Settlement of Pending Litigation with Dennis Martinez, referred to Miscellaneous Matters Committee.
- 16-21** Communication from Central Grants re: Grant Submission: United Way of Fairfield County Impact Philanthropy Fund – COVID Relief for Residents in Need (#22480), referred to Economic and Community Development and Environment Committee.
- 17-21** Communication from OPM re: Proposed Approval of Additional Capital Project Authorization to the 2022-2026 Capital Plan and Approval of General Obligation Bonds, referred to Budget and Appropriations Committee.

**MATTERS TO BE ACTED UPON (CONSENT CALENDAR):**

- \*07-21** Economic and Community Development and Environment Committee Report re: Grant Submission: National Fitness Campaign – Healthy City Grant Program (#22328).
- \*08-21** Economic and Community Development and Environment Committee Report re: Grant Submission: United States Conference of Mayors – 2022 Childhood Obesity Prevention/Environmental Health and Sustainability Awards (#22305).
- \*09-21** Economic and Community Development and Environment Committee Report re: Grant Submission: Southwestern CT Agency on Aging (SWCAA) – Title III Funding Older Americans Act Grant Program – American Rescue Plan Act Funding – Bridgeport Seniors Center Recreational Activities Expansion (#22419).

**MATTERS TO BE ACTED UPON (CONSENT CALENDAR) CONTINUED:**

- \*10-21** Joint Committee on Economic and Community Development and Environment and Contracts Report re: Resolution making certain findings required by the City and Town Development Act (As Precursor to Consideration of a Tax Incentive Development Agreement) for Steelpointe – New Residential Development along East Main Street South of Stratford Avenue.

**MATTERS TO BE ACTED UPON:**

- 03-21** Miscellaneous Matters Committee Report re: Refund of Excess Payments – 2012 ESA Project Company, LLC regarding 522 Fairfield Avenue.
- 04-21** Miscellaneous Matters Committee Report re: Refund of Excess Payments – DRS Naval Power Systems, Inc. regarding 196 Island Brook Avenue.
- 05-21** Miscellaneous Matters Committee Report re: Refund of Excess Payments – DRS Naval Power Systems, Inc. regarding 141 North Avenue.
- 11-21** Joint Committee on Economic and Community Development and Environment and Contracts Report re: Resolution Authorizing a Tax Incentive Development Agreement for a New Residential Development at Steelpointe along East Main Street South of Stratford Avenue.

*(Special Note: All items listed on the agenda can be found on the City Clerk's website within 24 hours of meeting: City Council Agendas/Minutes; City Council; 2021-2022; Full/Minutes/Size; 2022-01-03 pdf)*

THE FOLLOWING NAMED PERSON HAS REQUESTED PERMISSION TO ADDRESS THE CITY COUNCIL ON MONDAY, JANUARY 3, 2022 AT 6:30 P.M. THIS MEETING WILL BE CONDUCTED BY ZOOM/TELECONFERENCE. THE FOLLOWING NAMED PERSON MAY DIAL INTO THIS MEETING TO SPEAK BY CALLING THE FOLLOWING CONFERENCE LINE AND THEN ENTERING THE CONFERENCE CODE:

**DIAL-IN NUMBER#: (929) 436-2866**

**MEETING ID#: 381 083 245**

<b>NAME</b>	<b>SUBJECT</b>
John Marshall Lee 30 Beacon Street Bridgeport, CT 06605	Bridgeport Financial Values.
Johnny Ray Moore 574-576 Union Avenue Bridgeport, CT 06607	Bridgeport WPCA, Collection practices against property owners here in the City of Bridgeport.
Jennifer Jones Showpiece Shows 1188 Main Street, #525N Bridgeport, CT 06604	Support of the Steelpointe Development.
Mike Fonseca Showpiece Shows 1188 Main Street, #525N Bridgeport, CT 06604	Support of the Steelpointe Development.
Willie C. McBride, Jr. WC McBride Electrical Contractors 1027 Fairfield Avenue Bridgeport, CT 06605	Housing at Steel Point.
Eneida Martinez 819 Connecticut Avenue Bridgeport, CT 06607	Slander/Libel/Defamation/Complaint SEEC.
Maria Pereira 206 Bradley Street Bridgeport, CT 06610	Egregious conduct of the City Clerk's Office & Violations of the FOIA, City Charter, City Council Rules & Robert's Rules of Order.
Deborah Thomas Sims East End NRZ 302 Union Avenue Bridgeport, CT 06607	Speaking in Support of Steelepointe Development.
Keith Williams, Sr. East End NRZ 92 Watermen Street Bridgeport, CT 06607	Speaking in Support of Steelepointe Development.

**CITY COUNCIL MEETING**  
**PUBLIC SPEAKING FORUM**  
**MONDAY, JANUARY 3, 2022**

This meeting was conducted by Teleconference.

**CALL TO ORDER**

Council President Nieves called the Public Speaking session of the City Council to order at 6:32 p.m.

**ROLL CALL**

The City Clerk Lydia Martinez called the roll.

130th District: Scott Burns, Matthew McCarthy  
131st District: Jorge Cruz, Tyler Mack  
132nd District: Marcus Brown, *Rolanda Smith*  
133rd District: Aikeem Boyd, Jeanette Herron  
134th District: Michelle Lyons, AmyMarie Vizzo-Paniccia  
135th District: Mary McBride-Lee, Rosalina Roman-Christy  
136th District: *Avelino Silva, Alfredo Castillo*  
137th District: Aidee Nieves, Maria Valle  
138th District: Maria Pereira, Michele Small  
139th District: Wanda Simmons, *Ernest Newton*

RECEIVED  
CITY CLERK'S OFFICE  
22 JAN 11 PM 3:37  
ATTTEST  
CITY CLERK

The names in italics did not appear to respond during the roll call. Council President Nieves said that Council Member Silva had a schedule conflict.

Council President Nieves reviewed the rules for Public Speaking.

**THE FOLLOWING NAMED PERSON HAS REQUESTED PERMISSION TO ADDRESS THE CITY COUNCIL ON MONDAY, JANUARY 3, 2022 AT 6:30 P.M. THIS MEETING WILL BE CONDUCTED BY ZOOM/TELECONFERENCE.**

**NAME**

**SUBJECT**

**John Marshall Lee**  
30 Beacon Street  
Bridgeport, CT 06605

Bridgeport Financial Values.

Mr. Lee greeted the Council and read the following statement into the record:

City of Bridgeport  
City Council Meeting  
Regular Meeting  
January 3, 2022



Tonight, you are gathered to consider financial proposals that relate to reducing the taxes in years to come to benefit residents on the property acknowledged as the “crown jewels” of Bridgeport, today. Specifically, it is land that has been sectioned off as a district within the City with its own financial powers including a decision to build only luxury housing on the valuable land. It is merely a form of “redlining” to separate where poor people and average people live and pay taxes and where the wealthy can live.

Building of residential units today shows much the same expense to investors until, design, finish, extra features like granite countertops and special kitchen equipment. Residential units in the City are aging rapidly and extraordinarily little oversight or City administrative attention is spent on monitoring and assuring safe and reliable structures for your constituents. Seeing how storm water finds its way into properties, both private and those of Park City Community HUD sponsored, leads to lifetime chronic asthma conditions is ignored or deferred. And free fire alarms, a worthy project of itself, does not indicate that the City administration is attentive to maintaining rental properties in sustainable condition. Observe the continuing lack of personal security and elevator safety at the Stratfield Apartments on Main Street raised in the past month.

Recent results of bonding activity show how the activities of recent years has improved the BLD site immeasurably as it is ready for a final phase of luxury units where a difference of \$100 per month in rental rates will not make a marketing difference of note. So why is the City Council presented with resolutions to abate taxes in amount and over time for a deal that does not need the money to become complete? What if you were able to table this proposal tonight and find an alternative solution that made money available to all neighborhoods for their sustainable quality housing issues with significant data, record keeping and public notice. New residents to the City can know that they are making a fair contribution to the City residents around them. What is the fairest and best deal for taxpayers, residential housing stock, and Bridgeport Landing Development? Isn't that what you are seeking in order to defend your positions in the future when you meet folks who faced eminent domain threat many years ago as well as constituents who have had to accept higher taxes on their property because of poor negotiations and decisions by City leaders, legal counsel, and relatively underinformed Council members in the past? Time will tell.

*Council Member Newton joined the meeting at 6:40 p.m.*

**Johnny Ray Moore**  
574-576 Union Avenue  
Bridgeport, CT 06607

Bridgeport WPCA, Collection practices  
against property owners here in the City of  
Bridgeport.

Mr. Moore greeted the Council and said that he had paid taxes in Bridgeport since 1996 and stated that he had received a WPCA letter regarding an outstanding balance involving a previous foreclosure that had been paid in full with documentation. He reviewed the timeline of the payments and had copies of the submitted payments. However, the WPCA had refused to

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provide him with documentation regarding the amount they claim he owes. This issue will be released on social media also.

**Jennifer Jones**  
Showpiece Shows  
1188 Main Street, #525N  
Bridgeport, CT 06604

Support of the Steelpointe Development.

Ms. Jones said that she was present in support of Steelpointe and said that her family had struggles since coming to this country. She is an entrepreneur and works with boat shows. The Christoph's had given her the opportunity to showcase the boat show and this allowed her to bring money to the Bridgeport businesses, like the Holiday Inn, Black Horse Garage, the thrift stores and a variety of other local merchants. The Bridgeport students will have the opportunity to learn about how to run a business, how to stage an event and other professional skills. She is here to help the students learn as her business gives back to Bridgeport.

**Mike Fonseca**  
Showpiece Shows  
1188 Main Street, #525N  
Bridgeport, CT 06604

Support of the Steelpointe Development.

Mr. Fonseca said that he has been able to work with Mr. Christoph during the last three years and will continue to tell the world about the amazing things that are happening in Bridgeport. His friend, Ms. Washington, said that the project is attracting notice and bringing people to Bridgeport. He also said that there were others who had spoken about the positive aspects that the Steelpointe Development will bring to the area.

**Willie C. McBride, Jr.**  
WC McBride Electrical Contractors  
1027 Fairfield Avenue  
Bridgeport, CT 06605

Housing at Steel Point.

Mr. McBride greeted the Council members and said that he was the president of the McBride Electrical Contractors. He added that he was a former Civil Service Commissioner and stated that he was in favor of this project. It will provide local and minority jobs, businesses and opportunities. He said that his company had been awarded multiple contracts connected to the Steelpointe project. That was a game changer for his business. He is in the process of constructing a new building for his business.

Everyone is in this together and are trying to make Bridgeport a better place. The Christoph's have invested about \$100 million in the project already. He repeated that he was in favor of this project.

**Eneida Martinez**  
819 Connecticut Avenue  
Bridgeport, CT 06607

Slander/Libel/Defamation/Complaint  
SEEC.

Ms. Martinez said that she was speaking about the legal definition of slander and an SEEC (State Elections Enforcement Commission) complaint involving an elected official that is currently a Council Member. These remarks are directed to Council Member Pereira who posted statements on Facebook regarding a lawsuit involving Ms. Martinez, Generation NOW, NOW Votes and Tony Barr.

Ms. Martinez said that an elected official should know the definition of slander which is in the context of defamation, action, libel and slander as well as invasion of privacy. A public figure cannot succeed in a lawsuit on incorrect, partial statements in the United States. Defamation is to cause damage to a person, reputation, shame, hurt feelings, embarrassment and more. Therefore, Council Member Pereira needs to understand that as a public figure that was elected by her constituents as she always states, she cannot sue anyone because she has taken the oath for a public figure.

Ms. Martinez also said that Council Member Pereira needs to understand that every and any time she writes anything on social media, it can be considered a slanderous offense. Defamation is treated as a criminal offense instead of a civil wrong doing. As an individual that does not serve in any public office capacity, she is to be held liable and accountable for all of her actions.

Ms. Martinez addressed the Council about Case Number 2021-199, which on December 1, 2021, the SEEC voted to authorize an investigation into a complaint filed by Mr. Tony Barr, a constituent and taxpayer of the City of Bridgeport against Council Member Pereira for stolen absentee ballots and for wearing gloves to cover non-evidence of picking up absentee ballots and filling out absentee ballots. Council Member Pereira was recorded on video bullying, intimidating and yelling at the most vulnerable voters here in the City of Bridgeport, which are the seniors. Council Member Pereira is under investigation for illegal handling of ballots.

Ms. Martinez stated she was informing the Council who are elected officials, that the Council Members need to hold one another accountable. Ms. Martinez stated that when she was an elected official, she was on News 12 and the Connecticut Post. When there were press conferences held against Ms. Martinez, a number of elected officials stood up for her. She said that she was not seeing any other Council Members standing up for Council Member Pereira. It is time to put this fear away and fight for the City of Bridgeport. The Council Members took an oath and promised to serve the constituents of Bridgeport. However, their colleague is not serving the constituents of Bridgeport. This week-end, Council Member Pereira was on News 12 chastising developers for bringing a project to the City of Bridgeport.

Council Member Pereira interrupted Ms. Martinez to state that Ms. Martinez had spoken over three minutes.

Ms. Martinez told Council Member Pereira that the City needs development and she is not serving the City of Bridgeport as to the needs and the standards as an elected official.

**Maria Pereira**  
206 Bradley Street  
Bridgeport, CT 06610

Egregious conduct of the City Clerk's  
Office & Violations of the FOIA, City  
Charter, City Council Rules & Robert's  
Rules of Order.

Council Member Pereira said that she would like to thank former Council Member Martinez for recognizing that Council Member Pereira was currently on the City Council, unlike Ms. Martinez. She then corrected Ms. Martinez's pronunciation of the word "Libel".

Council Member Pereira said that there had been repeated statements made that the Council would start meeting in person first in October and then changed it to January. However, this has not happened. Teachers, social workers and students are going into school buildings completely unvaccinated. This is a disservice to the constituents with almost two years of no in person meetings.

Regarding the City Clerk's violations, Council Member Pereira said she did not think it was an accident that the massive \$12 million dollar tax break was being pushed through the holiday season. The City Clerk noticed a joint Committee meeting of Economic and Community Development on December 9th for Wednesday, December 29th and then on the 21st noticed the exact same agenda except for changing the day and date for the 28th. You cannot have multiple agendas for the exact same committee for the exact same item going forward. This means the Clerk could put up the exact same agenda for the entire week. The point of an agenda is so the public knows when a meeting is being held, where it is being held, what time and what is being discussed. Putting up duplicate agendas creates confusion and a lack of clarity for the public.

Council Member Pereira said that they would be requesting a ruling from the Freedom of Information Commission on this particular issue, which she thought was not accidental but done purposefully.

Council Member Pereira said that those Council Members who had met with the Christoph's have violated Chapter 2.39 of the Code of Ethics because they have to register as lobbyists and they have not been. Any Council Member who met with them and discussed the development in private is a violation of the ordinance.

Council Member Pereira said that there was a 77-page document that was produced by Mr. Bill Coleman at the December 28th meeting with no notice to the public as required. It was not posted on the website. She asked how anyone was supposed to read a 77-page document from a screen during the meeting. This was all intentional and purposeful and meant to obfuscate what is being done, to trick people, to mis-inform people and this is a real disservice to the public. The public needs to know when they are discussing issues, what is being discussed, what date, what

time, how to get on without all the obfuscation during the holiday season. She repeated her belief that this was all done purposefully when people are occupied during the holidays.

When there are discussions about individuals breaking the Council Rules or the City Charter, there are many Council Members who do break the rules, but not Council Member Pereira. She believes in respecting the Freedom of Information Act, the Charter, the Council Rules and Roberts Rules of Order even with those she disagrees with, she said.

**Deborah Thomas Sims**  
East End NRZ  
302 Union Avenue  
Bridgeport, CT 06607

Speaking in Support of Steelepointe  
Development.

Ms. Sims greeted the Council Members and said that she was speaking in support of the Steelpointe Development. She said that during the last 17 years, Steelpointe has been a topic of discussion for the East End NRZ. People have the opportunity to move where they wish to. For the last 17 years, the community has been looking at that land and nothing was being done. Now the project is moving forward. People keep saying that they can't move into the project, but they can move where they wish to.

**Keith Williams, Sr.**  
East End NRZ  
92 Watermen Street  
Bridgeport, CT 06607

Speaking in Support of Steelepointe  
Development.

Council President Nieves called for Mr. Williams to speak. There was no response. She repeated her call.

Council Member Newton said that Mr. Williams had spoken at the Public Hearing and they had that testimony.

### **ADJOURNMENT**

Council President Nieves closed the Public Speaking portion of the Council Meeting at 7:06 p.m.

Respectfully submitted,

Telesco Secretarial Services



**CITY OF BRIDGEPORT**  
**CITY COUNCIL MEETING**  
**MONDAY, JANUARY 3, 2022**

**7:00 P.M.**

This meeting was conducted by teleconference.

The public was able to listen to this meeting by calling a conference line.

**CALL TO ORDER**

Mayor Ganim called the Regular Meeting of the City Council to order at 7:06 p.m.

**PRAYER**

Mayor Ganim asked Council Member McBride-Lee to lead the Council in prayer.

Council Member McBride-Lee said that she had lost a niece on New Year's Day. She also mentioned the Coble family in the recent passing of Tom Coble.

**PLEDGE OF ALLEGIANCE**

Mayor Ganim asked Council Member Newton to lead those present in reciting the Pledge of Allegiance.

**ROLL CALL**

The Assistant City Clerk Frances Ortiz called the roll.

130<sup>th</sup> District: Scott Burns, Matthew McCarthy  
131<sup>st</sup> District: Jorge Cruz, Tyler Mack  
132<sup>nd</sup> District: Marcus Brown, Rolanda Smith  
133<sup>rd</sup> District: Aikeem Boyd, Jeanette Herron  
134<sup>th</sup> District: Michelle Lyons, AmyMarie Vizzo-Paniccia  
135<sup>th</sup> District: Mary McBride-Lee, Rosalina Roman-Christy  
136<sup>th</sup> District: *Avelino Silva*, Alfredo Castillo  
137<sup>th</sup> District: Aidee Nieves, Maria Valle  
138<sup>th</sup> District: Maria Pereira, Michele Small  
139<sup>th</sup> District: Wanda Simmons, Ernest Newton

Council President Nieves said that Council Member Silva had a schedule conflict and was excused.

**MINUTES FOR APPROVAL:**

• October 18, 2021

**\*\* COUNCIL MEMBER HERRON MOVED THE MINUTES OF OCTOBER 18, 2021.**

**\*\* COUNCIL MEMBER LYONS SECONDED.**

**\*\* THE MOTION TO APPROVE THE MINUTES OF OCTOBER 18, 2021 AS SUBMITTED PASSED WITH THIRTEEN (13) IN FAVOR (BURNS, MCCARTHY, CRUZ, BROWN, HERRON, LYONS, MCBRIDE-LEE, ROMAN-CHRISTY, CASTILLO, VALLE, NIEVES, PEREIRA AND NEWTON) AND SIX (6) ABSTENTIONS (VIZZO-PANICCIA, SMALL, SIMMONS, BOYD, MACK AND SMITH).**

**COMMUNICATIONS TO BE REFERRED TO COMMITTEES:**

**15-21 Communication from City Attorney re: Proposed Settlement of Pending Litigation with Dennis Martinez, referred to Miscellaneous Matters Committee.**

**16-21 Communication from Central Grants re: Grant Submission: United Way of Fairfield County Impact Philanthropy Fund – COVID Relief for Residents in Need (#22480), referred to Economic and Community Development and Environment Committee.**

**17-21 Communication from OPM re: Proposed Approval of Additional Capital Project Authorization to the 2022-2026 Capital Plan and Approval of General Obligation Bonds, referred to Budget and Appropriations Committee.**

**\*\* COUNCIL MEMBER NEWTON MOVED THE FOLLOWING COMMUNICATIONS TO BE REFERRED TO COMMITTEES:**

**15-21 COMMUNICATION FROM CITY ATTORNEY RE: PROPOSED SETTLEMENT OF PENDING LITIGATION WITH DENNIS MARTINEZ, REFERRED TO MISCELLANEOUS MATTERS COMMITTEE.**

**16-21 COMMUNICATION FROM CENTRAL GRANTS RE: GRANT SUBMISSION: UNITED WAY OF FAIRFIELD COUNTY IMPACT PHILANTHROPY FUND – COVID RELIEF FOR RESIDENTS IN NEED (#22480), REFERRED TO ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT COMMITTEE.**

**17-21 COMMUNICATION FROM OPM RE: PROPOSED APPROVAL OF ADDITIONAL CAPITAL PROJECT AUTHORIZATION TO THE 2022-2026 CAPITAL PLAN AND APPROVAL OF GENERAL OBLIGATION BONDS, REFERRED TO BUDGET AND APPROPRIATIONS COMMITTEE.**



**\*\* COUNCIL MEMBER LYONS SECONDED.**

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

**MATTERS TO BE ACTED UPON (CONSENT CALENDAR):**

**\*07-21 Economic and Community Development and Environment Committee Report re: Grant Submission: National Fitness Campaign – Healthy City Grant Program (#22328).**

**\*08-21 Economic and Community Development and Environment Committee Report re: Grant Submission: United States Conference of Mayors – 2022 Childhood Obesity Prevention/Environmental Health and Sustainability Awards (#22305).**

**\*09-21 Economic and Community Development and Environment Committee Report re: Grant Submission: Southwestern CT Agency on Aging (SWCAA) – Title III Funding Older Americans Act Grant Program – American Rescue Plan Act Funding – Bridgeport Seniors Center Recreational Activities Expansion (#22419).**

**\*10-21 Joint Committee on Economic and Community Development and Environment and Contracts Report re: Resolution making certain findings required by the City and Town Development Act (As Precursor to Consideration of a Tax Incentive Development Agreement) for Steelpointe – New Residential Development along East Main Street South of Stratford Avenue.**

Mayor Ganim asked if any Council Member wished to remove an item from the Consent Calendar. Council Member Pereira requested that Agenda Items 07-21, 08-21 and 10-21 be removed from the Consent Calendar.

**\*\* COUNCIL MEMBER BURNS MOVED THE FOLLOWING TWO ITEMS:**

**07-21 ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT COMMITTEE REPORT RE: GRANT SUBMISSION: NATIONAL FITNESS CAMPAIGN – HEALTHY CITY GRANT PROGRAM (#22328).**

**08-21 ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT COMMITTEE REPORT RE: GRANT SUBMISSION: UNITED STATES CONFERENCE OF MAYORS – 2022 CHILDHOOD OBESITY PREVENTION/ENVIRONMENTAL HEALTH AND SUSTAINABILITY AWARDS (#22305).**

**\*\* COUNCIL MEMBER CRUZ SECONDED.**

Council Member Pereira said that she was voting against the items because the Board of Park Commissioners did not vote on the installation of the equipment at Seaside and Beardsley Park.

They have sole authority regarding anything done in the parks. It is not appropriate to apply for grants funding for the parks without their approval.

Council Member Burns said that it was a Public Health matter and they had informed the Parks Commissioners.

Council Member Newton said that Ms. DeJesus had submitted a letter to the Economic and Community Development and Environment Committee from the Parks Commission approving the placement of the items in the parks. He wished the record to reflect this.

**\*\* THE MOTION TO APPROVE THE FOLLOWING TWO ITEMS:**

**07-21 ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT COMMITTEE REPORT RE: GRANT SUBMISSION: NATIONAL FITNESS CAMPAIGN – HEALTHY CITY GRANT PROGRAM (#22328).**

**08-21 ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT COMMITTEE REPORT RE: GRANT SUBMISSION: UNITED STATES CONFERENCE OF MAYORS – 2022 CHILDHOOD OBESITY PREVENTION/ENVIRONMENTAL HEALTH AND SUSTAINABILITY AWARDS (#22305).**

**PASSED WITH SEVENTEEN (17) IN FAVOR (BURNS, MCCARTHY, CRUZ, MACK, BROWN, HERRON, SMITH, LYONS, VIZZO-PANICCIA, MCBRIDE-LEE, ROMAN-CHRISTY, BOYD, CASTILLO, VALLE, NIEVES, SIMMONS AND NEWTON) AND TWO (2) OPPOSED (SMALL AND PEREIRA).**

**09-21 Economic and Community Development and Environment Committee Report re: Grant Submission: Southwestern CT Agency on Aging (SWCAA) – Title III Funding Older Americans Act Grant Program – American Rescue Plan Act Funding – Bridgeport Seniors Center Recreational Activities Expansion (#22419).**

**\*\* COUNCIL MEMBER BURNS MOVED AGENDA ITEM 09-21 ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT COMMITTEE REPORT RE: GRANT SUBMISSION: SOUTHWESTERN CT AGENCY ON AGING (SWCAA) – TITLE III FUNDING OLDER AMERICANS ACT GRANT PROGRAM – AMERICAN RESCUE PLAN ACT FUNDING – BRIDGEPORT SENIORS CENTER RECREATIONAL ACTIVITIES EXPANSION (#22419).**

**\*\* COUNCIL MEMBER ROMAN-CHRISTY SECONDED.**

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

**10-21 Joint Committee on Economic and Community Development and Environment and Contracts Report re: Resolution making certain findings required by the City and Town**

**Development Act (As Precursor to Consideration of a Tax Incentive Development Agreement) for Steelpointe – New Residential Development along East Main Street South of Stratford Avenue.**

**\*\* COUNCIL MEMBER HERRON MOVED AGENDA ITEM 10-21 JOINT COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT AND CONTRACTS REPORT RE: RESOLUTION MAKING CERTAIN FINDINGS REQUIRED BY THE CITY AND TOWN DEVELOPMENT ACT (AS PRECURSOR TO CONSIDERATION OF A TAX INCENTIVE DEVELOPMENT AGREEMENT) FOR STEELPOINTE – NEW RESIDENTIAL DEVELOPMENT ALONG EAST MAIN STREET SOUTH OF STRATFORD AVENUE.**

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

Council Member Pereira read the following statement into the record:

I would like to make an amendment requiring a roll call vote that should the Resolution Making Certain Findings Required by the City and Town Development Act be approved by the City Council tonight; that per Section 7-485 (b) of the CT General Statute the resolution adopted by the legislative body be submitted to the electors of Bridgeport for their approval within 60 days which would require the resolution be published in the CT Post within 14 days of today with the date of the referendum specified. I'm sure we thought the voters of Bridgeport were brilliant when they elected all of us. Certainly, they are smart enough to decide on whether voting in favor of this resolution is in their best interest. I can guarantee it would be overwhelmingly defeated in the 138<sup>th</sup> District.

Let's allow democracy to flourish and allow our constituents to vote on this resolution which provides the required mechanism necessary to provide the developer with over \$12,000,000 in tax breaks for 400 luxury apartments while the developer collects approximately \$11-\$12 million dollars in annual rent.

**\*\* COUNCIL MEMBER PEREIRA MOVED TO AMEND AGENDA ITEM 10-21 JOINT COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT AND CONTRACTS REPORT RE: RESOLUTION MAKING CERTAIN FINDINGS REQUIRED BY THE CITY AND TOWN DEVELOPMENT ACT (AS PRECURSOR TO CONSIDERATION OF A TAX INCENTIVE DEVELOPMENT AGREEMENT) FOR STEELPOINTE – NEW RESIDENTIAL DEVELOPMENT ALONG EAST MAIN STREET SOUTH OF STRATFORD AVENUE AS FOLLOWS:**

**RESOLUTION MAKING CERTAIN FINDINGS REQUIRED BY THE CITY AND TOWN DEVELOPMENT ACT BE APPROVED BY THE CITY COUNCIL TONIGHT; THAT PER SECTION 7-485 (B) OF THE CT GENERAL STATUTE THE RESOLUTION ADOPTED BY THE LEGISLATIVE BODY BE SUBMITTED TO THE ELECTORS OF BRIDGEPORT FOR THEIR APPROVAL WITHIN 60 DAYS WHICH WOULD REQUIRE THE**

**RESOLUTION BE PUBLISHED IN THE CT POST WITHIN 14 DAYS OF TODAY WITH THE DATE OF THE REFERENDUM SPECIFIED.**

**\*\* COUNCIL MEMBER SMALL SECONDED.**

Council Member Newton said that he was opposed to this amendment because this was a stalling tactic. This agreement is the same as the one in Black Rock. He requested his colleagues to vote against this amendment.

Council Member Herron requested her colleagues to vote against this amendment. She asked if there was a recent change in the rule to let Council Members shout out rather than raising their hands to speak.

**\*\* THE MOTION TO AMEND AGENDA ITEM 10-21 JOINT COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT AND CONTRACTS REPORT RE: RESOLUTION MAKING CERTAIN FINDINGS REQUIRED BY THE CITY AND TOWN DEVELOPMENT ACT (AS PRECURSOR TO CONSIDERATION OF A TAX INCENTIVE DEVELOPMENT AGREEMENT) FOR STEELPOINTE – NEW RESIDENTIAL DEVELOPMENT ALONG EAST MAIN STREET SOUTH OF STRATFORD AVENUE AS FOLLOWS:**

**RESOLUTION MAKING CERTAIN FINDINGS REQUIRED BY THE CITY AND TOWN DEVELOPMENT ACT BE APPROVED BY THE CITY COUNCIL TONIGHT; THAT PER SECTION 7-485 (B) OF THE CT GENERAL STATUTE THE RESOLUTION ADOPTED BY THE LEGISLATIVE BODY BE SUBMITTED TO THE ELECTORS OF BRIDGEPORT FOR THEIR APPROVAL WITHIN 60 DAYS WHICH WOULD REQUIRE THE RESOLUTION BE PUBLISHED IN THE CT POST WITHIN 14 DAYS OF TODAY WITH THE DATE OF THE REFERENDUM SPECIFIED.**

**FAILED TO PASS WITH TWO (2) IN FAVOR (PEREIRA AND SMALL) AND SEVENTEEN (17) AGAINST (BURNS, MCCARTHY, CRUZ, MACK, BROWN, HERRON, SMITH, LYONS, VIZZO-PANICCIA, MCBRIDE-LEE, ROMAN-CHRISTY, BOYD, CASTILLO, VALLE, NIEVES, SIMMONS AND NEWTON).**

**\*\* THE MOTION TO APPROVE AGENDA ITEM 10-21 JOINT COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT AND CONTRACTS REPORT RE: RESOLUTION MAKING CERTAIN FINDINGS REQUIRED BY THE CITY AND TOWN DEVELOPMENT ACT (AS PRECURSOR TO CONSIDERATION OF A TAX INCENTIVE DEVELOPMENT AGREEMENT) FOR STEELPOINTE – NEW RESIDENTIAL DEVELOPMENT ALONG EAST MAIN STREET SOUTH OF STRATFORD AVENUE PASSED WITH SEVENTEEN (17) IN FAVOR (BURNS, MCCARTHY, CRUZ, MACK, BROWN, HERRON, SMITH, LYONS, VIZZO-PANICCIA, MCBRIDE-LEE, ROMAN-CHRISTY, BOYD, CASTILLO, VALLE,**



**NIEVES, SIMMONS AND NEWTON) AND TWO (2) OPPOSED (SMALL AND PEREIRA).**

**MATTERS TO BE ACTED UPON:**

**03-21 Miscellaneous Matters Committee Report re: Refund of Excess Payments – 2012 ESA Project Company, LLC regarding 522 Fairfield Avenue.**

**04-21 Miscellaneous Matters Committee Report re: Refund of Excess Payments – DRS Naval Power Systems, Inc. regarding 196 Island Brook Avenue.**

**05-21 Miscellaneous Matters Committee Report re: Refund of Excess Payments – DRS Naval Power Systems, Inc. regarding 141 North Avenue.**

**\*\* COUNCIL MEMBER VIZZO-PANICCIA MOVED THE FOLLOWING AGENDA ITEMS:**

**03-21 MISCELLANEOUS MATTERS COMMITTEE REPORT RE: REFUND OF EXCESS PAYMENTS – 2012 ESA PROJECT COMPANY, LLC REGARDING 522 FAIRFIELD AVENUE.**

**04-21 MISCELLANEOUS MATTERS COMMITTEE REPORT RE: REFUND OF EXCESS PAYMENTS – DRS NAVAL POWER SYSTEMS, INC. REGARDING 196 ISLAND BROOK AVENUE.**

**05-21 MISCELLANEOUS MATTERS COMMITTEE REPORT RE: REFUND OF EXCESS PAYMENTS – DRS NAVAL POWER SYSTEMS, INC. REGARDING 141 NORTH AVENUE.**

**\*\* COUNCIL MEMBER NEWTON SECONDED.**

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

**11-21 Joint Committee on Economic and Community Development and Environment and Contracts Report re: Resolution Authorizing a Tax Incentive Development Agreement for a New Residential Development at Steelpointe along East Main Street South of Stratford Avenue.**

**\*\* COUNCIL MEMBER HERRON MOVED AGENDA ITEM 11-21 JOINT COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT AND CONTRACTS REPORT RE: RESOLUTION AUTHORIZING A TAX INCENTIVE DEVELOPMENT AGREEMENT FOR A NEW RESIDENTIAL DEVELOPMENT AT STEELPOINTE ALONG EAST MAIN STREET SOUTH OF STRATFORD AVENUE**

**\*\* COUNCIL MEMBER ROMAN-CHRISTY SECONDED.**

Council Member Pereira requested a roll call vote. She then made the following statement into the record without interruption. Mayor Ganim requested that she submit any lengthy statement in writing to the City Clerk.

Council Member Pereira said that there were many of her constituents on the call and they wished to know where she stood on the particular tax agreement. She then said that she had read the entire 200-page Development Acquisition Agreement given to the City Council on October 19, 2019. The 6.5 acres where these 400 luxury apartments will be built were part of a [inaudible] were acquired through eminent domain from United Illuminating in 2006 for \$14.9 million. At the time, the land which has not been used by UI for any meaningful purpose for years was estimated as valued at \$1.9 million [inaudible]. That would bring the assessed value per acre in 2006 to \$600,000. Yet, Mr. Coleman asserted that the same 6.5 acres today are worth \$550,000, which is 8% less than 2006. This is 15 years later after remediation, infrastructure improvements were made and real estate costs have sky rocketed. She said that she had a Congress Street Bridge for sale for anyone who believed that those 6.5 acres of land were worth less now than 15 years ago.

Page 40 of the LDA requires that the developer must pay the City \$100,000 for each acre per phase excluding easements and right of ways. Mr. Coleman stated that this project will bring in \$1.1 million in revenue through building permits along with the \$400,000 that the City is receiving. Council Member Pereira states that Atty. Pacacha and Mr. Flatto made it clear earlier that the \$11 million in tax revenue will not go to the City. Every dollar over \$400,000 goes back to the Steelpointe Taxing District to be distributed by the board, which is made up of the Christoph's and their designee. The City will not receive a single dollar for general purposes.

Page 31 of the LDA states the City is supposed to receive \$370,000 along with 20% of any taxes over the \$370,000. Then Mr. Coleman stated that there would be a 90/10 split with the 10% going to the City. 90% will go to the Special Taxing District. Mr. Flatto stated earlier in the day that the City would not be receiving anything more than the \$400,000. There is no additional tax revenue coming into the City coffers. This is based on mis-information and deceit with flagrant violations of this agreement, which was voted on by the Council, [inaudible] in a court of law [inaudible] The Council has been given a great deal of flagrant mis-information and it is incredibly deceitful. Asking the Council to vote on purposefully incorrect information is wrong.

Council Member Pereira said that she did not know how that would remain binding in a court of law in 2023 after the next election. If Bridgeport taxpayers paid \$14.9 million for these 14.1 acres, what did they pay for 60 acres associated with massive costs associated with eminent domain and litigation. All 60 acres are being handed over to the developer for \$100,000 per acre and there is no evidence those payments are even being made. The City will only receive \$400,000 in real estate taxes, the developer is guaranteed a tax revenue stream to offset his costs for a decade. The 400 luxury apartment tenants will be paying rent while utilizing our public parks, libraries, schools, emergency services and public works without the developer paying his fair share of taxes to support the very public services that his tenants will utilize.

In closing Council Member Pereira asked what the Bridgeport taxpayers received for 20 years of massive financial investment and 15 years of lost tax revenue after they utilized eminent domain to force black and brown property owners from their homes and businesses while the Steelpointe peninsula lay dormant and undeveloped. Only \$400,000 in annual taxes with anything over \$400,000 going back to Steelpointe Special District under the control of the developer.

This proposed tax development is egregiously inappropriate and insulting to Council Member Pereira's severely overburdened constituents. Therefore, Council Member Pereira said she will be voting no for gentrification, no on segregation of any kind including socio-economic, no on racist, discriminatory and exclusionary housing policies, no on white [inaudible] elitism, no on tax breaks for the wealthy, and no on tax breaks for luxury apartments.

Mayor Ganim asked Council Member Pereira to wrap her statement up.

Council Member Pereira stated that what Bridgeport needs is affordable housing for the residents, veterans, seniors and those with physical disabilities, not luxury apartments.

Council Member Burns stated that the Bond Counsel had clarified the allocation regarding the 90/10 split.

Atty. Stafstrom said that he would like to clarify the 90/10 split which was incorrect due to using an older set of agreements. The City is actually receiving an interlocal amount which is a first call. He explained that the sale occurred before the current Ganim administration. The other issue regarding the money from the bond issue will only be used for public improvements like the replacement of the bulkhead.

Council Member Newton said that he was on the Council when the original agreement was presented. He noted that when the parcels were taken by eminent domain, the residents were given market value for their property. Those individuals were able to purchase new property. It is wrong to say that black and brown people lost their homes with this development. Talking about gentrification is wrong because between 40% and 50% residents own homes. He reminded everyone that Council Member Pereira had voted against every affordable housing project since she had been on the Council.

**\*\* THE MOTION TO APPROVE AGENDA ITEM 11-21 JOINT COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT AND CONTRACTS REPORT RE: RESOLUTION AUTHORIZING A TAX INCENTIVE DEVELOPMENT AGREEMENT FOR A NEW RESIDENTIAL DEVELOPMENT AT STEELPOINTE ALONG EAST MAIN STREET SOUTH OF STRATFORD AVENUE PASSED WITH FOURTEEN (14) IN FAVOR (BURNS, MCCARTHY, CRUZ, BROWN, HERRON, SMITH, LYONS, VIZZO-PANICCIA, MCBRIDE-LEE, ROMAN-CHRISTY, CASTILLO, VALLE, NIEVES, AND NEWTON) AND FIVE (5) OPPOSED (BOYD, MACK, SMALL, SIMMONS AND PEREIRA).**



**\*\* COUNCIL PRESIDENT NIEVES MOVED TO SUSPEND THE RULES TO ADD AN AGENDA ITEM WITH THE PURPOSE OF VOTING ON UPDATED COMMITTEE ASSIGNMENTS.**

Mayor Ganim said that this would require a simple 2/3rd majority to suspend the rules to add an item to the agenda. Atty. Anastasi agreed.

**\*\* COUNCIL MEMBER HERRON SECONDED.**

Council Member Pereira said she wished to comment on the motion to add the item to the agenda. She stated that this has continuously happened where the items are added to the agenda by a 2/3rd vote and no notice to the public, or Council Members who are not in the inner circle, and they do not have the item in writing. She said that she had requested the information in writing but they read off the seven members of seven committee rapid fire instead. This has happened over and over again. It is a disservice to the public and other Council Members.

Mayor Ganim said that this process has been used by the Council for years when the City Council President presents their Committee assignments.

Council Member Newton requested the vote be taken and welcomed Council Member Smith.

**\*\* THE MOTION TO SUSPEND THE RULES TO ADD AN AGENDA ITEM WITH THE PURPOSE OF VOTING ON UPDATED COMMITTEE ASSIGNMENTS PASSED WITH EIGHTEEN (18) IN FAVOR (BURNS, MCCARTHY, CRUZ, MACK, BROWN, HERRON, SMITH, LYONS, VIZZO-PANICCIA, MCBRIDE-LEE, ROMAN-CHRISTY, BOYD, CASTILLO, VALLE, NIEVES, SMALL, SIMMONS AND NEWTON) AND ONE (1) OPPOSED (PEREIRA).**

**\*\* COUNCIL PRESIDENT NIEVES MOVED TO APPROVE THE FOLLOWING COUNCIL COMMITTEE ASSIGNMENT CHANGES IN ORDER TO ADD NEWLY APPOINTED COUNCIL MEMBER ROLANDA SMITH ARE AS FOLLOWS:**

**MISCELLANEOUS MATTERS: REMOVE MARCUS BROWN AND ADD ROLANDA SMITH.**

**ECONOMIC AND COMMUNITY DEVELOPMENT: REMOVE MARCUS BROWN AND ADD ROLANDA SMITH.**

**POLICE COMMISSION – ADD COUNCIL MEMBER MARY MCBRIDE-LEE AS LIAISON.**

**\*\* COUNCIL MEMBER HERRON SECONDED.**

Council Member Pereira said that she appreciated that Council President Nieves clearly articulated which Council Member was being removed from the Committees. It was simple to understand.

**\*\* THE MOTION TO APPROVE THE COMMITTEE ASSIGNMENT CHANGES AS LISTED PASSED UNANIMOUSLY.**

Council President Nieves welcomed Ms. Smith to the Council and congratulated her.

Council Member Newton also welcomed Ms. Smith.

Council Member Vizzo-Paniccia said that she had spoken with the Representative from CCM and Ms. Smith will be receiving information and materials from him about various issues.

### **ADJOURNMENT**

**\*\* COUNCIL MEMBER HERRON MOVED TO ADJOURN.**

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

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

The meeting adjourned at 7:53 p.m.

Respectfully submitted,

Telesco Secretarial Services

CITY OF BRIDGEPORT  
OFFICE OF THE CITY ATTORNEY  
999 Broad Street  
Bridgeport, CT 06604-4328

CITY ATTORNEY  
R. Christopher Meyer

DEPUTY CITY ATTORNEY  
John P. Bohannon, Jr.

ASSOCIATE CITY ATTORNEYS

Michael C. Jankovsky  
Richard G. Kascak, Jr.  
Bruce L. Levin  
John R. Mitola  
Lawrence A. Ouellette, Jr.  
Dina A. Scalo  
Eroll V. Skyers  
Tyisha S. Toms  
Linda Wihbey



Telephone (203) 576-7647  
Facsimile (203) 576-8252

COMM. 15-21 Ref'd to **Miscellaneous Matters Committee**  
on 01/03/2022.

December 28, 2021

The Honorable City Council  
City of Bridgeport  
45 Lyon Terrace  
Bridgeport, CT 06604

**Re: REFERRAL TO MISCELLANEOUS MATTERS COMMITTEE:**  
*Proposed Settlement of Pending Litigation in the Matter of Dennis Martinez v.  
City of Bridgeport - Case# 3:20-cv-00916 (JAM)*

Dear Councilpersons:

- a. **Submission Title:** Request for Litigation Settlement Approval.
- b. **Submitting Entity:** Office of the City Attorney.
- c. **Contact Person:** Associate City Attorney John R. Mitola – contact info above.
- d. **Approval Deadline:** Thirty (30) days from release to avoid statutory interest charges.
- e. **Case Summary:** The plaintiff, Dennis Martinez, is a Police Officer with the City of Bridgeport Police Department. He brings his case pursuant to Title VII of the Civil Rights Act of 1964 and Conn. Gen. Stat. Sec. 46a-60(b)(4) alleging retaliation for complaining about discriminatory actions; and a claim brought pursuant to Conn. Gen. Stat. Sec. 31-51q claiming retaliation for complaining about unlawful and discriminatory actions.
- f. **Council Action Requested:** Approval of request for settlement.
- g. **Financial Impact Analysis:** Total cost to the City will be a total of 75,000.00 which includes \$24,975.00 to Attorney John R. Williams and \$50,025.00 to Dennis Martinez.
- h. **Funding Budget-Line:** The settlement payment will be made from the City Attorney Office Operating Budget Line-Item "Personal Property Claims Atty. #01-01-006-060-000-53010" as well as from Payroll Funds.

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Page Two

**i. Proposed Motion:** Motion to authorize and approve payment of \$75,000.00 in full and final settlement of *Dennis Martinez McBride v. City of Bridgeport* – Case#3:20-cv-00916 (JAM).

**Kindly place this matter on the agenda for the next City Council meeting for referral to the Miscellaneous Matters Committee only. Thank you for your assistance in this matter.**

Very truly yours,

A handwritten signature in black ink, appearing to read "R. Christopher Meyer". The signature is fluid and cursive, with the first name "R." and the last name "Meyer" being the most prominent parts.

R. Christopher Meyer  
City Attorney

cc: Lydia Martinez, City Clerk  
John R. Mitola, Esq.  
Kathleen Ranger, Legal Secretary



City of Bridgeport, Connecticut  
**OFFICE OF CENTRAL GRANTS**

999 Broad Street  
Bridgeport, Connecticut 06604  
Telephone (203) 332-5662  
Fax (203) 332-5657

**ISOLINA DeJESUS**  
Manager  
Central Grants

JOSEPH P. GANIM  
Mayor

December 29, 2021

COMM. 16-21 Ref'd to ECD&E Committee  
on 01/03/2022.

Office of the City Clerk  
City of Bridgeport  
45 Lyon Terrace, Room 204  
Bridgeport, Connecticut 06604

**RE: Resolution – United Way of Fairfield County Impact Philanthropy Fund- COVID Relief for Residents in Need (#22480)**

Dear Ms. Martinez,

Attached, please find a Grant Summary and Resolution for the **United Way of Coastal Fairfield County Impact Philanthropy Fund – COVID Relief for Residents in Need** to be referred to the **Committee on Economic Community Development and Environment** of the City Council.

If you have any questions or require any additional information, please contact me at 203-332-5665 or [melissa.oliveira@bridgeportct.gov](mailto:melissa.oliveira@bridgeportct.gov).

Thank you,

Melissa Oliveira  
Central Grants Office

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## GRANT SUMMARY

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PROJECT TITLE: **United Way of Coastal Fairfield County Impact Philanthropy Fund – COVID Relief for Residents in Need (#22480)**

DEPARTMENT SUBMITTING INFORMATION: **Central Grants Office**

CONTACT NAME: **Melissa Oliveira**

PHONE NUMBER: **203-332-5665**

**PROJECT SUMMARY/DESCRIPTION:** In a response to challenges created by the COVID-19 public health crisis, the United Way of Coastal Fairfield County created the COVID-19 Relief Fund. United Way is seeking to work with town social service departments to support people struggling with mental health or in need of emergency financial support as a result of the crisis and the resulting economic fallout. The City of Bridgeport is seeking funding for the purpose of purchasing twenty \$100 gift cards to local establishments. The gift cards will be provided to clients of the rental assistance program who have expressed a lack of resources that has resulted in food insecurity

**CONTRACT PERIOD:** 1/1/2022-6/30/2022

FUNDING SOURCES (include matching funds):	
Federal:	\$ 0
State:	\$ 0
City:	\$ 0
Other:	\$ 2,000.00

**A Resolution by the Bridgeport City Council**

**Regarding the**

**United Way of Coastal Fairfield County Impact Philanthropy Fund  
COVID Relief for Residents in Need (#22480)**

**WHEREAS**, the **United Way of Fairfield County** is authorized to extend financial assistance to municipalities in the form of grants; and

**WHEREAS**, this funding has been made possible through the **Impact Philanthropy Fund- COVID Relief for Residents in Need**; and

**WHEREAS**, the purpose of the grant program is to support town residents who are struggling under the weight of the COVID crisis and/or in need of emergency support;

**WHEREAS**, the funds under this grant will be used to provide gift cards to residents impacted by COVID-19; and

**NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL:**

1. That it is cognizant of the City's grant application to and contract with **United Way of Coastal Fairfield County** for the purpose of its **Impact Philanthropy Fund- COVID Relief for Residents in Need**; and
2. That it hereby authorizes, directs and empowers the Mayor or his designee, the Director of Central Grants, to accept any funds that result from the City's application to the **United Way of Coastal Fairfield County** and to provide such additional information and to execute such other contracts, amendments, and documents as may be necessary to administer this program.





CITY OF BRIDGEPORT  
**OFFICE OF POLICY & MANAGEMENT**

999 Broad Street  
Bridgeport, Connecticut 06604  
Telephone 203-576-7963 Fax 203-332-5589

NESTOR N. NKWO  
Budget Director

JOSEPH P. GANIM

Mayor COMM. 17-21 Ref'd to Budget & Appropriations Committee  
on 01/03/2022.

December 29, 2021

Honorable City Council Members  
C/O Lydia Martinez, City Clerk  
Office of the City Clerk  
45 Lyon Terrace  
Bridgeport, CT 06604

**RE: FY 22-26 Five Year Capital Budget – Proposed \$3.5M Mid-Year Amendment & Bond Resolution for Bassick High School**

Dear Honorable Members,

The Office of Policy and Management hereby submits the attached Proposed Five-Year Capital Budget (FY 2022-2026) Amendment to be added to the City Council agenda for referral to the Budget and Appropriations Committee.

This submission also includes the Finance Department's Bond Resolution/Authorization of the additional \$3.5M for Bassick High School.

Please contact me with any questions and thank you for your consideration.

Respectfully,

Nestor Nkwo,  
Budget Director

Cc: Mayor Joseph P. Ganim  
Aidee Nieves  
Scott Burns  
Ernest Newton  
Daniel Shamas  
Janene Hawkins  
Kenneth Flatto  
Francis Ortiz  
Thomas Gaudett  
Constance Vickers

attachments

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CITY OF BRIDGEPORT							
OFFICE OF POLICY AND MANAGEMENT							
FY2022-26 FIVE YEARS CAPITAL PLAN BUDGET WITH MID YEAR \$3.5M BASSICK HIGH SCHOOL AMENDMENT							
PROJECT DESCRIPTIONS	FY2021 Council Adopted Capital Plan	FY2022 Proposed Capital Plan Amendment	FY2023 Council Adopted Capital Plan	FY2024 Council Adopted Capital Plan	FY2025 Council Adopted Capital Plan	FY2026 Council Adopted Capital Plan	Total Proposed Capital Plan Amendment FY2022-FY2026
<b>BOARD OF EDUCATION:</b>							
New Bassick High School( City Share) Amended *		3,500,000					3,500,000
Nutrition Center-Roof Replacement (21% City Share)	315,000	554,000					554,000
Maplewood School -Roof Replacement (21%) City Share				1,300,000			1,300,000
Cesar Batallia - Replace Ice Storage Syst.w/Chiller	850,000						0
Jettie Tisdale -Replace Ice Storage Syst. w/Chiller	1,000,000						0
Curiale School-Roof Replacement( 21% ) City Share		378,000					378,000
Edison School - Roof Replacement ( 21% ) City Share			900,000				900,000
Blackham - Masonry-Outside Pool Wall/Heating Syst.	125,000						0
Hallen School - Roof Replacment (21%) City Share				1,800,000			1,800,000
<b>TOTAL BOARD OF EDUCATION</b>	<b>2,290,000</b>	<b>4,432,000</b>	<b>900,000</b>	<b>3,100,000</b>	<b>0</b>	<b>0</b>	<b>8,432,000</b>
<b>ECONOMIC DEVELOPMENT:</b>							
Land Management / Acquisition		0	1,000,000		1,000,000		2,000,000
Amphitheater Additional Funding	4,500,000						0
City Owned Properties-Development Ready Program						1,000,000	1,000,000
Lafayette Blvd/Fairfield Ave./Redesign-(10 %City Match)		650,000					650,000
Remington Arms Site Improvement(FY20 Amendment)*		3,000,000	2,000,000				5,000,000
Gateway To South End/Citywide Strategic Acquisition		1,000,000	1,000,000				2,000,000
Blight / Demolition / Clean Up/Property Management			1,000,000	1,000,000	1,000,000		3,000,000
Jetland St. Parking Garage Addition/Expansion		500,000	1,000,000				1,500,000
Seaview Ave Corridor/Waterfront Proj(20% city match)(Amended)*	90,000						
<b>TOTAL ECONOMIC DEVELOPMENT</b>	<b>4,590,000</b>	<b>5,150,000</b>	<b>6,000,000</b>	<b>1,000,000</b>	<b>2,000,000</b>	<b>1,000,000</b>	<b>15,150,000</b>

CITY OF BRIDGEPORT							
OFFICE OF POLICY AND MANAGEMENT							
FY2022-26 FIVE YEARS CAPITAL PLAN BUDGET WITH MID YEAR \$3.5M BASSICK HIGH SCHOOL AMENDMENT							
PROJECT DESCRIPTIONS	FY2021 Council Adopted Capital Plan	FY2022 Proposed Capital Plan Amendment	FY2023 Council Adopted Capital Plan	FY2024 Council Adopted Capital Plan	FY2025 Council Adopted Capital Plan	FY2026 Council Adopted Capital Plan	Total Proposed Capital Plan Amendment FY2022-FY2026
<b>PUBLIC FACILITIES:</b>							
Roadway Paving, Culverts, Intersections(Amendment)*	3,000,000	3,000,000	3,000,000	2,000,000	2,000,000	2,000,000	12,000,000
City / Neighborhood Beautification			150,000		150,000		300,000
Wonderland of Ice - Roof Replacement		1,000,000					1,000,000
Police Hq -Upper & Lower Parking Decks/Rooftop		1,336,000					1,336,000
Public Facilities Equipment	2,099,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	5,000,000
Muni Bldg. HVAC / Heating / Elec./ Facilities	840,000						0
City Wide Building & Security Improvements	2,073,000						0
New East Side Senior Center-Old Engine 10/Putnam St.		2,500,000					2,500,000
Klein Memorial Auditorium -Masonry/Roof Replacement		1,126,000					1,126,000
Facilities Assessments /Planning Studies				150,000			150,000
Energy Conservation /Conversion Program				250,000			250,000
Harbor Yard Ballpark Upgrades				1,000,000			1,000,000
752 East Main Street Demolition/ Rehabilitation	800,000						0
Street Lights Wattage Upgrade				500,000			500,000
Various Airport Improvements/Equipment's Projects	125,000	213,000	217,500	207,000	156,000	0	793,500
Parks Maintenance Equip(Include Golf Course)	765,000	340,000		667,000		0	1,007,000
Various Parks Improvements - Citywide			615,000	485,000	610,000	575,000	2,285,000
Side Walks/Street scape Replacements				1,000,000			1,000,000
Citywide Deco Lights				500,000			500,000
Traffic Lights Upgrades			125,000				125,000
Perry Memorial Arch.				500,000			500,000
Tennis Courts Improvement - Citywide				170,000		225,000	395,000
Kennedy Stadium	1,525,000			100,000			100,000
Park Restrooms - Citywide	125,000	0		200,000		200,000	400,000
Went Field Park Improvement			570,000		0		570,000
Golf Course Improvements		150,000	300,000	950,000	1,000,000	0	2,400,000
Beardsley Zoo Improvements	2,675,000		175,000	590,000	0	400,000	1,165,000
Police Fit-Up of Fac./Regional Training Ctr. (If no State Grant)				3,000,000			3,000,000
Chopsey Hill Road Bridge Design-City Match	250,000						0
Woodrow Avenue Bridge Design - City Match+50% City Share	200,000	150,000	250,000				400,000
Island Brook Ave/ Over Pequonnock Design-City Match		250,000					250,000
Beardsley Park Entrance/Nob Ave. Roundabout Design-City Match	200,000						0
Old Town Road -Design Realignment/Reconfig. 50% Trumbull		0	250,000				250,000
Citywide Bridges Engineering Assessment	250,000		500,000				500,000
Rooster River Conduit - Design/Rehab./Flood Control				200,000	2,000,000		2,200,000
Johnson Creek Flood Control					1,000,000		1,000,000
Other City Wide Flood Control					1,000,000		1,000,000
Island Brook Flood Control - Design- City Share				2,000,000			2,000,000
Northeast Flood Control - Design City Share					2,000,000		2,000,000
Ox Brook Flood Control - Design City Share						2,000,000	2,000,000
<b>TOTAL PUBLIC FACILITIES</b>	<b>14,927,000</b>	<b>11,065,000</b>	<b>7,152,500</b>	<b>15,469,000</b>	<b>10,916,000</b>	<b>6,400,000</b>	<b>51,002,500</b>
<b>OTHER DEPARTMENTS:</b>							
Fire Apparatus Replacement Program / Vehicles	725,000	750,000	1,725,000	892,000	850,000		4,217,000
WPCA Capital Improvements (Amended )*	1,295,000	0	980,000	1,280,000	1,005,000	400,000	3,665,000
Emergency Operations / Technology upgrade	125,000		0	514,650	153,000		667,650
Bpt. Library Proj.-Computers, floor,furniture,electrical>window	675,000		0	825,000	175,000	40,000	1,040,000
New North End/Reservoir Avenue Library/Study/Design		100,000		2,000,000			2,100,000
<b>TOTAL OTHER DEPARTMENTS</b>	<b>2,820,000</b>	<b>850,000</b>	<b>2,705,000</b>	<b>5,511,650</b>	<b>2,183,000</b>	<b>440,000</b>	<b>11,689,650</b>
<b>TOTAL ALL DEPARTMENTS</b>	<b>24,627,000</b>	<b>21,497,000</b>	<b>16,757,500</b>	<b>25,080,650</b>	<b>15,099,000</b>	<b>7,840,000</b>	<b>86,274,150</b>
Notes:							
The construction of the New Bassick High School has increased from \$115m to \$129m primarily due to change of site,increased student enrolment, land acquisition, remediation cost and increase in construction cost due to the effect of Covid in the building material chain.							
The increase in student enrolment is attributable to the relocation of the classical studies academy students into the new Bassick high school location.							
The City of Bridgeport share on the \$14m increase is \$3.5m and that is the reason for the proposed capital budget amendment in FY22.							
The State of Connecticut bonding commission requires that Bridgeport legislative body commit and approve their \$3.5m share of the increased cost.							

## CITY OF BRIDGEPORT CONNECTICUT

To the City Council of the City of Bridgeport:

The Committee on BUDGET & APPROPRIATIONS begs leave to report; and recommends for adoption the following resolution:

NO.

### **APPROVAL OF ADDITIONAL CAPITAL PROJECT AUTHORIZATION TO THE 2022-2026 CAPITAL PLAN AND APPROVAL OF GENERAL OBLIGATION BONDS**

**WHEREAS**, the City Council of the City of Bridgeport (the "City") has previously adopted the City's Five-Year Capital Plan for Fiscal Years 2022-2026 (the "2022-2026 Capital Plan"); and

**WHEREAS**, the Bassick High School project (the "Bassick Project") was submitted to the State by the Bridgeport Board of Education and the City of Bridgeport in 2018, and then approved by the State as part of the State's 2019 School Building Project priority list with an original total cost of \$115 million; and

**WHEREAS**, the City Council of the City has previously adopted the City's Five-Year Capital Plans for a total of \$28.5 million for the Bassick Project based upon the City's anticipated required share of local funding toward the \$115 million Bassick Project - \$1 million in startup funding adopted in the City's Five Year Capital Plan for Fiscal Years 2018-2022 (the "2018-2022 Capital Plan") and \$27.5 million in construction funding adopted in the City's Five Year Capital Plan for Fiscal Years 2019-2023 (the "2019-2023 Capital Plan"); and

**WHEREAS**, changes and revisions to the scope of the Bassick Project have since been approved by the City's Board of Education and School Building Committee and revised Educational Specifications submitted by the City's Board of Education to the State, including enrollment increases to approximately 1,250 students, a revision to the Bassick Project site location and design plan to include the Bassick Project as new construction, land cost purchase and remediation costs, the incorporation of Bridgeport Academy students into the proposed Bassick Project enrollment, and the resultant revised cost increase of

\$14 million to the Bassick Project now totaling for the Bassick Project an overall cost of \$129 million (the "Updated Bassick Project"); and

**WHEREAS**, the City Council has determined it to be in the best interest of the City to add additional capital plan authorization in the amount of \$3,500,000 for the Updated Bassick Project, as more particularly listed on Exhibit A attached hereto to the City's 2022-2026 Capital Plan to ensure that the total Five-Year Capital Plan funding allocated to the Updated Bassick Project (including the \$1 million in startup funding) is \$32 million; and

**WHEREAS**, the Charter of the City requires that authorization to borrow against any Five-Year Capital Plan be approved by the City Council; and, to date a total of \$15.5 million of such borrowing authorization has been approved and bonded; and

**WHEREAS**, the City Council has determined it to be in the best interest of the City to approve additional borrowing authorization for the City's 2022-2026 Capital Plan in the amount of \$16,500,000 for the Updated Bassick Project, all as more particularly listed on Exhibit B attached hereto; and now therefore, be it

**RESOLVED**, that the City's 2022-2026 Capital Plan, as adopted by the City Council, is hereby amended to incorporate the additional Updated Bassick Project costs as set forth on Exhibit A.

**RESOLVED**, that having received the recommendation of the Mayor of the City with respect to the action authorized herein, the City Council hereby approves an appropriation of the amounts necessary to: (i) fund the Updated Bassick Project in an additional aggregate principal amount not to exceed \$16,500,000 and the issuance of general obligation bonds secured by the City's full faith and credit (the "Bonds"), in an additional aggregate principal amount not to exceed \$16,500,000 (exclusive of Financing Costs, as hereinafter defined) for the purposes of funding the Updated Bassick Project as set forth on Exhibit B; and (ii) finance such additional costs and expenses, in an amount not to exceed three percent (3%) of such authorization, as the Mayor, the Finance Director, and the Treasurer (collectively, the "Officials") shall approve for the funding of necessary and appropriate financing and/or issuance costs including, but not limited to legal, advisory, credit enhancement, trustee, underwriters' discount, printing and administrative expenses, as well as the cost of the establishment and maintenance of any reserve pursuant to Chapter 109, Chapter 117 and other chapters of the Connecticut General Statutes (the "Financing Costs"); and be it further



**RESOLVED**, the Officials are further authorized on behalf of the City to make temporary borrowings as authorized by the Connecticut General Statutes and to issue temporary notes of the City in anticipation of the receipt of proceeds from the sale of the Bonds to be issued pursuant to this resolution and such notes shall be issued and renewed at such time and with such maturities, requirements and limitations as provided by statute; notes evidencing such borrowings shall be executed in the same manner as if they were bonds and the officials shall determine the date, maturity, interest rates, form and manner of sale, including negotiated sale, and other details of said notes consistent with the provisions of this resolution and the Connecticut General Statutes and shall have all powers and authority as in connection with the issuance of bonds; and be it further

**RESOLVED**, that the City Council authorizes and approves that the Bonds be secured by the City's property taxes, including interest, penalties and related charges, pursuant to Chapter 117 and other chapters of the Connecticut General Statutes, and, if deemed necessary or appropriate by the Officials and in the City's best interest, hereby authorizes the Officials: (i) to establish a property tax intercept procedure and a debt service payment fund pursuant to Chapter 117 of the Connecticut General Statutes, §7-560 et seq., and other Chapters of the Connecticut General Statutes, on such terms as the Officials deem necessary or appropriate, and (ii) all further actions which the Officials deem necessary or appropriate to so secure the Bonds or which are contemplated by law; and be it further

**RESOLVED**, that the Officials, if they determine it to be advisable, necessary or appropriate, hereby are authorized, on behalf of the City, to enter into an indenture of trust and/or a supplemental indenture of trust to the City's existing indenture (collectively, the "Indenture") with a bank or trust company located within or without the State of Connecticut (the "Trustee"), and to covenant: (i) if the Bonds are issued pursuant to such Indenture that all or a portion of the City's property taxes shall be paid to the Trustee and be held in trust for the benefit of the holders of the Bonds as provided in Chapter 117 and other Chapters of the Connecticut General Statutes, and (ii) the terms on which any payments or reserves securing the payment of the Bonds will be paid, and the terms of any reserve or other fund for the benefit of the holders of the Bonds; and, in any event, to amend or supplement the Indenture containing such terms and conditions as the Officials shall determine to be necessary or advisable and in the best interest of the City, the execution thereof to be conclusive evidence of such determination; and be it further

**RESOLVED**, that the City Council hereby authorizes the Officials, if the Officials determine it is in the City's best interest, to acquire, on behalf of the City, bond insurance or other forms of credit enhancement guaranteeing the Bonds on such terms as the Officials determine to be appropriate, such terms to include, but not be limited to, those relating to fees, premiums and other costs and expenses incurred in connection with such credit enhancement, the terms of payment of such expenses and costs and such other undertakings as the issuer of the credit enhancement shall require; and the Officials, if they determine that it is appropriate, are authorized, on the City's behalf, to grant security to the issuer of the credit enhancement to secure the City's obligations arising under the credit enhancement, including the establishment of a reserve from proceeds of the Bonds; and be it further

**RESOLVED**, that the City Council hereby authorizes the Officials to determine the date, maturity, prices, interest rates whether fixed or floating, form, manner of sale (whether by negotiation or public sale) or other terms and conditions of the Bonds, including the terms of any reserve that might be established as authorized herein, whether any of the Bonds issued will be issued as taxable bonds and whether the Bonds will be issued in one or more series on the same or one or more separate dates, all in such a manner as the Officials shall determine to be in the best interest of the City, and to take such actions and to execute such documents, or to designate other officials or employees of the City to take such actions and to execute such documents, as deemed to be necessary or advisable and in the best interests of the City by the Officials in order to issue, sell and deliver the Bonds; and be it further

**RESOLVED**, that the City Council hereby authorizes the Officials in connection with the issuance of the Bonds to execute and deliver on behalf of the City such reimbursement agreements, remarketing agreements, standby bond purchase agreements, interest rate swap agreements, and other agreements for the purpose of managing the interest rate fluctuations and risks and any other appropriate agreements the Officials deem necessary, appropriate or desirable to the issuance of the Bonds and the Officials are hereby authorized on behalf of the City to secure the payment of such agreements with the full faith and credit of the City, if they deem it necessary, appropriate or desirable; and be it further

**RESOLVED**, that the Bonds shall be signed by the Officials provided that such signatures of any two of such officers of the City affixed to the Bonds may be by facsimiles of such signatures printed on the Bonds, and each of such Officers and any designee of any of them is authorized to take such actions, and execute such agreements, instruments and documents, on behalf of the City, that they deem necessary, appropriate or desirable to consummate the intendment of this and the foregoing resolutions; and be it further



**RESOLVED**, that the City Council hereby authorizes the Officials in connection with the issuance of the Bonds to allocate any unused bond proceeds to other City projects authorized for bonding, consistent with the applicable tax and other laws, as deemed to be necessary or advisable and in the best interests of the City by the Officials; and be it further

**RESOLVED**, that the Officials are hereby authorized to apply for and accept any available State or federal grant in aid of the financing of the Updated Bassick Project, and to take all action necessary or proper in connection therewith.

Exhibit A

**Additional Capital Projects**

<u>Project Description</u>	<u>Fiscal Year 2022 Capital Plan Authorization</u>
<u>Board of Education</u>	
Bassick High School - New	\$3,500,000
<b>Total</b>	<b><u>\$3,500,000</u></b>

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**Exhibit B**

**Bonding Authorization**

<b><u>Project Description</u></b>	<b><u>FY19 Capital Plan Bonding Authorization</u></b>	<b><u>FY22 Capital Plan Bonding Authorization</u></b>
<i>Board of Education</i>		
Bassick High School - New	\$13,000,000	\$3,500,000
<b>Total</b>	<b><u>\$13,000,000</u></b>	<b><u>\$3,500,000</u></b>

**Total Overall Bonding Authorization for Updated Bassick Project - \$16,500,000**

Item # \*07-21 Consent Calendar

Grant Submission: re National Fitness Campaign -  
Healthy City Grant Program. (#22328)



Report  
of  
Committee  
On

CEA and Environment

City Council Meeting Date: January 03, 2022

Attest: Lydia N. Martinez  
Lydia N. Martinez, City Clerk

Approved by: \_\_\_\_\_  
Joseph P. Garim, Mayor

Date Signed: \_\_\_\_\_

Please Note: Mayor Did Not Sign Report

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CITY CLERK



# City of Bridgeport, Connecticut

## Office of the City Clerk

*To the City Council of the City of Bridgeport.*

The Committee on Economic and Community Development and Environment begs leave to report; and recommends for adoption the following resolution:

**Item No. \*07-21 Consent Calendar**

**A Resolution by the Bridgeport City Council  
Regarding the  
National Fitness Campaign – Healthy City Grant Program (#22328)**

**WHEREAS**, the **National Fitness Campaign** is authorized to extend financial assistance to municipalities in the form of grants; and

**WHEREAS**, this funding has been made possible through the **Healthy City Grant Program**; and

**WHEREAS**, this funding will be applied towards the purchase and installation of state-of-the-art outdoor fitness facilities in Seaside Park and/or Beardsley Park; and

**WHEREAS**, as a part of this program, the National Fitness Campaign will provide resources to the City of Bridgeport, including access to marketing materials and its fitness-tracking phone application, to ensure that city residents and visitors alike will be able to get the most out of these facilities; and

**WHEREAS**, it is desirable and in the public interest that the City of Bridgeport submit an application to the **National Fitness Campaign – Healthy City Grant Program** to make free, high-quality exercise options accessible to Bridgeport residents.

**NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL:**

1. That it is cognizant of the City's grant application to and contract with the **National Fitness Campaign** for the purpose of the **Healthy City Grant Program**.
2. That it hereby authorizes, directs, and empowers the Mayor or his designee, the Director of Central Grants, to accept any funds that result from the City's application to the **National Fitness Campaign** and to provide such additional information and execute such other contracts, amendments, and documents as may be necessary to administer this program.





# City of Bridgeport, Connecticut Office of the City Clerk

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Report of Committee on ECD and Environment  
Item No. \*07-21 Consent Calendar

-2-

RESPECTFULLY SUBMITTED,  
THE COMMITTEE ON  
**ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT**

\_\_\_\_\_  
Maria I. Valle, **Co-Chair**

\_\_\_\_\_  
Scott Burns, **Co-Chair**

\_\_\_\_\_  
Rosalina Roman-Christy

\_\_\_\_\_  
Michelle A. Lyons

\_\_\_\_\_  
Mary A. McBride-Lee

\_\_\_\_\_  
Tyler Mack

\_\_\_\_\_  
Marcus A. Brown

*City Council Date: January 3, 2022*

Item # \*08-21 Consent Calendar

Grant Submission: re United States Conference of Mayors - 2022 Childhood Obesity Prevention/Environmental Health and Sustainability Awards. (#22305)



**Report  
of  
Committee  
On**

**CEA and Environment**

City Council Meeting Date: January 03, 2022

Attest: Lydia N. Martinez  
*Lydia N. Martinez*  
Lydia N. Martinez, City Clerk

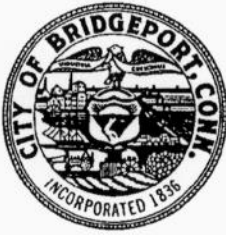
Approved by: \_\_\_\_\_  
*Joseph P. Ganim, Mayor*

Date Signed: \_\_\_\_\_

Please Note: Mayor Did Not Sign Report

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ATTEST  
CITY CLERK



# City of Bridgeport, Connecticut

## Office of the City Clerk

*To the City Council of the City of Bridgeport.*

The Committee on Economic and Community Development and Environment begs leave to report; and recommends for adoption the following resolution:

Item No. \*08-21 Consent Calendar

**A Resolution by the Bridgeport City Council  
Regarding the  
United States Conference of Mayors – 2022 Childhood Obesity  
Prevention/Environmental Health and Sustainability Awards (#22305)**

**WHEREAS**, the **United States Conference of Mayors** is authorized to extend financial assistance to municipalities in the form of grants; and

**WHEREAS**, this funding has been made possible through the **2022 Childhood Obesity Prevention/Environmental Health and Sustainability Awards**; and

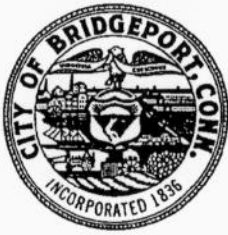
**WHEREAS**, this funding will be applied towards the purchase and installation of a state-of-the-art outdoor fitness facility in a City of Bridgeport public park; and

**WHEREAS**, this facility will be integrated into new and existing City of Bridgeport public health programs with the intention of reducing childhood obesity and promoting the use and appreciation of Bridgeport's open space; and

**WHEREAS**, it is desirable and in the public interest that the City of Bridgeport submit an application to the **2022 Childhood Obesity Prevention/Environmental Health and Sustainability Awards** to make free, high-quality exercise options accessible to Bridgeport residents.

**NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL:**

1. That it is cognizant of the City's grant application to and contract with the **United States Conference of Mayors** for the purpose of the **2022 Childhood Obesity Prevention/Environmental Health and Sustainability Awards**.
2. That it hereby authorizes, directs, and empowers the Mayor or his designee, the Director of Central Grants, to accept any funds that result from the City's application to the **United States Conference of Mayors** and to provide such additional information and execute such other contracts, amendments, and documents as may be necessary to administer this program.



# City of Bridgeport, Connecticut Office of the City Clerk

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Report of Committee on ECD and Environment  
Item No. \*08-21 Consent Calendar

-2-

RESPECTFULLY SUBMITTED,  
THE COMMITTEE ON  
**ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT**

\_\_\_\_\_  
Maria I. Valle, *Co-Chair*

\_\_\_\_\_  
Scott Burns, *Co-Chair*

\_\_\_\_\_  
Rosalina Roman-Christy

\_\_\_\_\_  
Michelle A. Lyons

\_\_\_\_\_  
Mary A. McBride-Lee

\_\_\_\_\_  
Tyler Mack

\_\_\_\_\_  
Marcus A. Brown

*City Council Date:* January 3, 2022

Item # \*09-21 Consent Calendar

Grant Submission: re Southwestern CT Agency on Aging (SWCAA) - Title Funding Older Americans Act Grant Program - American Rescue Plan Act Funding - Bridgeport Seniors Center Recreational Activities Expansion. (#22419)



**Report**  
**of**  
**Committee**  
**On**

CEA and Environment

City Council Meeting Date: January 03, 2022

Attest: *Lydia N. Martinez*  
Lydia N. Martinez, City Clerk

Approved by: \_\_\_\_\_  
Joseph P. Ganim, Mayor

Date Signed: \_\_\_\_\_

Please Note: Mayor Did Not Sign Report

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CITY CLERK





# City of Bridgeport, Connecticut

## Office of the City Clerk

*To the City Council of the City of Bridgeport.*

The Committee on Economic and Community Development and Environment begs leave to report; and recommends for adoption the following resolution:

Item No. \*09-21 Consent Calendar

**A Resolution by the Bridgeport City Council  
Regarding the  
Southwestern CT Agency on Aging (SWCAA) – Title III Funding Older Americans Act  
Grant Program – American Rescue Plan Act Funding – Bridgeport Seniors Center  
Recreational Activities Expansion (#22419)**

**WHEREAS**, the **Southwestern CT Agency on Aging** is authorized to extend financial assistance to municipalities in the form of grants; and

**WHEREAS**, this funding has been made possible through the **Title III Funding Older Americans Act Grant Program – American Rescue Plan Act Funding – Bridgeport Seniors Center Recreational Activities Expansion**; and

**WHEREAS**, if funded, the City of Bridgeport will utilize this funding to expand recreation activities at the City's public senior centers, offering additional weekly classes in belly dancing, strengthening, and music lessons, along with two field trips; and

**WHEREAS**, it is desirable and in the public interest that the City of Bridgeport uses funding from the **Southwestern CT Agency on Aging (SWCAA) – Title III Funding Older Americans Act Grant Program – American Rescue Plan Act Funding** to help keep seniors active in body and mind during this challenging time.

**NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL:**

1. That it is cognizant of the City's grant application to and contract with SWCAA for the purpose of its **Title III Funding Older Americans Act Grant Program – American Rescue Plan Act Funding**.
2. That it hereby authorizes, directs, and empowers the Mayor or his designee, the Director of Central Grants, to accept any funds that result from the City's application to SWCAA and to provide such additional information and execute such other contracts, amendments, and documents as may be necessary to administer this program.



# City of Bridgeport, Connecticut Office of the City Clerk

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Report of Committee on ECD and Environment  
Item No. \*09-21 Consent Calendar

-2-

RESPECTFULLY SUBMITTED,  
THE COMMITTEE ON  
**ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT**

\_\_\_\_\_  
Maria I. Valle, *Co-Chair*

\_\_\_\_\_  
Scott Burns, *Co-Chair*

\_\_\_\_\_  
Rosalina Roman-Christy

\_\_\_\_\_  
Michelle A. Lyons

\_\_\_\_\_  
Mary A. McBride-Lee

\_\_\_\_\_  
Tyler Mack

\_\_\_\_\_  
Marcus A. Brown

*City Council Date: January 3, 2022*

**Item # \*10-21 Consent Calendar**

Resolution making certain findings required by the City and Town Development Act (As Precursor to Consideration of a Tax Incentive Development Agreement) for Steelpointe - New Residential Development along East Main Street South of Stratford Avenue.



**Report  
of  
Joint Committee**

**Economic Community and Redevelopment and  
Environment & Contracts**

City Council Meeting Date: January 3, 2022

Attest: *Lydia N. Martinez*  
Lydia N. Martinez, City Clerk

Approved by: \_\_\_\_\_  
Joseph P. Ganim, Mayor

Date Signed: \_\_\_\_\_

Please Note: Mayor did not sign Report.

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# City of Bridgeport, Connecticut

## Office of the City Clerk

*To the City Council of the City of Bridgeport.*

The Joint Committee on ECD & Environment and Contracts begs leave to report; and recommends for adoption the following resolution:

**Item No. \*10-21 Consent Calendar**

### **RESOLUTION MAKING CERTAIN FINDINGS REQUIRED BY THE CITY AND TOWN DEVELOPMENT ACT**

As Precursor to Consideration of a Tax Incentive Development Agreement for  
Steel Point, East Main Street South of Stratford Avenue

**WHEREAS**, the Connecticut City and Town Development Act (Chapter 114 of the *Connecticut General Statutes*, herein referred to as the "Act") allows municipalities to exercise certain economic development powers;

**WHEREAS**, the Act requires that in connection with, and as precursor to, the exercise of any such powers, the City Council must make certain findings as are more particularly detailed within the Act, in Section 7-485 of the *Connecticut General Statutes* (see Attachment A);

**WHEREAS**, the City's Office of Planning and Economic Development has presented to the City Council via separate resolution a Tax Incentive Development Agreement for – Steel Point, East Main Street South of Stratford Avenue (the "Agreement");

**WHEREAS**, the City Council wishes to consider the Agreement pursuant to the provisions of the Act;

**NOW THEREFORE BE IT RESOLVED** that the Bridgeport City Council hereby makes the following eight findings and determinations:

(1) An unreasonable number of residents of the municipality are subject to hardship in finding employment and adequate, safe and sanitary housing;

(2) Conditions of blight and deterioration exist in parts of the municipality or the municipality would substantially benefit from the renovation, rehabilitation or construction of commercial or residential properties;

(3) Private enterprise is not meeting such need for employment, housing, the reduction of blight and deterioration, or the renovation, rehabilitation or construction of commercial or residential properties;

(4) The need for employment and adequate, safe and sanitary housing will be lessened and the municipality will be revitalized by the exercise of the powers granted under this chapter;



# City of Bridgeport, Connecticut

## Office of the City Clerk

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Report of Joint Committee on ECD & Environment and Contracts  
Item No. \*10-21 Consent Calendar

-2-

(5) Adequate provisions shall be made for the payment of the cost of acquisition, construction, operation, maintenance and insurance of all development property;

(6) A feasible method exists and shall be utilized for the relocation into safe and sanitary dwellings of comparable rent of families and individuals displaced as a consequence of the exercise of any power granted under this chapter and such families and individuals shall not suffer disproportionate injuries as a result of actions authorized by this chapter for the public benefit;

(7) Development property shall not be acquired or disposed of without due consideration of the environmental and economic impact of such acquisition or disposition and the adequacy of existing or proposed municipal services;

(8) The acquisition or disposition of all development property shall advance the public interest, general health, safety and welfare, and development, growth and prosperity of the municipality.





# City of Bridgeport, Connecticut

## Office of the City Clerk

---

Report of Joint Committee on ECD & Environment and Contracts  
Item No. \*10-21 Consent Calendar

-3-

**RESPECTFULLY SUBMITTED,  
THE JOINT COMMITTEE ON  
ECONOMIC AND COMMUNITY DEVELOPMENT  
AND ENVIRONMENT AND CONTRACTS**

---

*Jeanette Herron, D-133rd, Co-Chair*

---

*Matthew McCarthy, D-130th, Co-Chair*

---

*Maria I. Valle, D-137<sup>th</sup>, Co-Chair*

---

*Scott Burns, D-130<sup>th</sup>, Co-Chair*

---

*Jorge Cruz, Sr., D-131st*

---

*Rosalina Roman-Christy, D-135<sup>th</sup>*

---

*Maria H. Pereira, D-138<sup>th</sup>*

---

*Ernest Newton, II, D-139<sup>th</sup>*

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*Avelino D. Silva, D-138<sup>th</sup>*

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*Michelle A. Lyons, D-134<sup>th</sup>*

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*Tyler Mack, D-131<sup>st</sup>*

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*Mary A. McBride-Lee, D-135<sup>th</sup>*

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*Marcus A. Brown, D-132nd*

**City Council Date: January 3, 2022**

## Attachment A

**Sec. 7-485. Required municipal findings and determinations. Discretionary referendum.** (a) No power granted to a municipality under this chapter may be exercised unless and until the municipality shall have found and determined by resolution that conditions substantially as described in section 7-481 exist in the municipality, are continuing and may be ameliorated by the exercise of the powers granted under this chapter. Such resolution shall include the following findings and determinations and the following standards for the implementation of the powers granted under this chapter: (1) An unreasonable number of residents of the municipality are subject to hardship in finding employment and adequate, safe and sanitary housing; (2) conditions of blight and deterioration exist in parts of the municipality or the municipality would substantially benefit from the renovation, rehabilitation or construction of commercial or residential properties; (3) private enterprise is not meeting such need for employment, housing, the reduction of blight and deterioration, or the renovation, rehabilitation or construction of commercial or residential properties; (4) the need for employment and adequate, safe and sanitary housing will be lessened and the municipality will be revitalized by the exercise of the powers granted under this chapter; (5) adequate provisions shall be made for the payment of the cost of acquisition, construction, operation, maintenance and insurance of all development property; (6) a feasible method exists and shall be utilized for the relocation into safe and sanitary dwellings of comparable rent of families and individuals displaced as a consequence of the exercise of any power granted under this chapter and such families and individuals shall not suffer disproportionate injuries as a result of actions authorized by this chapter for the public benefit; (7) development property shall not be acquired or disposed of without due consideration of the environmental and economic impact of such acquisition or disposition and the adequacy of existing or proposed municipal services; (8) the acquisition or disposition of all development property shall advance the public interest, general health, safety and welfare, and development, growth and prosperity of the municipality.

(b) Each resolution adopted pursuant to subsection (a) of this section may be submitted to the electors of the municipality for their approval. If the legislative body of a municipality votes to submit a resolution to the electors of the municipality, not later than fourteen days after the adoption of such resolution a copy of such resolution shall be published in a newspaper having a general circulation within the municipality in which such resolution was adopted together with a notice of the time that a referendum shall be held on the question of approval of such resolution. The question of approval of such resolution shall be submitted to the electors of such municipality at a special election called for such purpose to be held not less than thirty days, nor more

than sixty days, after adoption of such resolution, in conformity with the provisions of section 9-369 or, if a regular municipal election is to be held more than sixty days, but not more than one hundred twenty days, after the adoption of such resolution, such question shall be so submitted at such regular election and a vote thereon shall be taken in the manner prescribed by said section 9-369. If a majority of those voting in any such referendum vote to approve such resolution, such resolution shall thereupon become effective. If less than a majority of those voting in any such referendum vote to approve such resolution, it shall become null and void.

(c) Any resolution adopted pursuant to this section shall specify the period for which such resolution shall be effective, provided no such resolution shall be effective for a period in excess of five years from the effective date of such resolution. Upon the expiration of the effective period of any resolution adopted pursuant to this section: (1) Any indebtedness contracted, encumbrances made or commitments entered into by a municipality by resolution or contracts executed pursuant to resolution, including all proceedings related thereto, shall be valid and binding in accordance with their terms respectively and shall be of full force and effect if incurred, adopted or executed respectively during the period in which such resolution referred to in this section is effective and the municipality shall have all powers herein conferred with respect thereto notwithstanding the expiration of such period; and (2) the municipality which adopted such resolution shall not be authorized to exercise any powers created by this chapter, provided any such municipality shall be authorized to continue to exercise all powers created by this chapter in regard to any development property in regard to which any contract or lease has been previously entered into by such municipality with a sponsor or in regard to which any bonds or notes have been issued by such municipality.

(July Sp. Sess. P.A. 75-2, S. 6, 25; P.A. 16-133, S. 2.)

History: P.A. 16-133 amended Subsec. (a) by adding "parts of" and provision re municipality would substantially benefit from renovation, rehabilitation or construction of commercial or residential properties in Subdiv. (2), and adding reference to renovation, rehabilitation or construction of commercial or residential properties in Subdiv. (3), amended Subsec. (b) by substituting "may" for "shall" in provision re submittal to electors, and made technical changes.

(Return to Chapter  
Table of Contents)

(Return to  
List of Chapters)

(Return to  
List of Titles)

Item# 03-21

Refund of Excess Payments - 2012 ESA Project  
Company LLC regarding 522 Fairfield Avenue.



**Report  
of  
Committee  
on**

**Miscellaneous Matters**

City Council Meeting Date: January 3, 2022

Attest:

*Lydia N. Martinez*  
Lydia N. Martinez, City Clerk

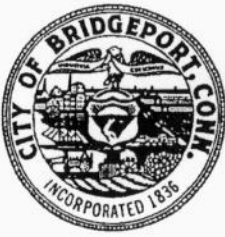
Approved by:

*Joseph P. Ganim*  
Joseph P. Ganim, Mayor

Date Signed: \_\_\_\_\_

Please Note: Mayor Did Not Sign Report

RECEIVED  
CITY CLERKS OFFICE  
22 JAN 19 PM 2:15  
ATTEST  
CITY CLERK



# City of Bridgeport, Connecticut

## Office of the City Clerk

*To the City Council of the City of Bridgeport:*

The Committee on Miscellaneous Matters begs leave to report; and recommends for adoption the following resolution:

**Item No. 03-21**

**BE IT RESOLVED**, That the Comptroller be, and hereby is authorized, empowered and directed to draw his warrants on the City Treasurer in favor of the following named person and for the amount set opposite said name, all in accordance with the recommendation of the Tax Collector.

<u>Name &amp; Address</u>	<u>Reason</u>	<u>Refund</u>
2012 ESA Project Company LLC 4353 N 1 <sup>st</sup> Street 4 <sup>th</sup> Floor San Jose, CA 95134	12-129	\$14,169.52
Reference: 522 Fairfield Avenue 2019-02-0004017		

RESPECTFULLY SUBMITTED,  
THE COMMITTEE ON  
**MISCELLANEOUS MATTERS**

\_\_\_\_\_  
Amy-Marie Vizzo-Paniccia, *Co-Chair*

\_\_\_\_\_  
Tyler Mack, *Co-Chair*

\_\_\_\_\_  
Marcus A. Brown

\_\_\_\_\_  
Alfredo Castillo

\_\_\_\_\_  
Aikeem G. Boyd

\_\_\_\_\_  
Matthew McCarthy

\_\_\_\_\_  
Wanda R. Simmons

*City Council Date: January 3, 2022*

**REQUEST FOR ABATEMENT OR REFUND OF PROPERTY TAXES**

Sec. 12-81(20), Sec. 12-124, 12-125, 12-126, 12-127, 12-127a, 12-128, 12-129 Rev. as Amended  
 This is to certify that 2012 ESA PROJECT COMPANY LLC

has presented satisfactory proof that he/she is entitled to an exemption on the assessment list of 10/01/2019

- Sec. 12-81 (20) Servicemen Having Disability Rating.
- Sec. 12-124 Abatement to poor.
- Sec. 12-125 Abatement of Taxes of Corporations.
- Sec. 12-126 Tangible Personal Property Assessed in more than one Municipality.
- Sec. 12-127 Abatement or Refund to Blind Persons.
- Sec. 12-127A Abatement of Taxes on Structures of Historical or Architectural Merit.
- Sec. 12-128 Refund of Taxes Erroneously Collected from Veterans and Relatives.
- Sec. 12-129 Refund of Excess Payments.

2012 ESA PROJECT COMPANY LLC  
 4353 N 1ST STREET 4TH FL  
 SAN JOSE, CA 95134

2019-02-0004017  
 P--9007270  
 522 FAIRFIELD AVENUE



\*2019020004017\*

To Collector of **CITY OF BRIDGEPORT** State of Connecticut.

I hereby apply for refund\* of such part of my tax as shall represent:

The service exemption or Sec. 12-129 Refund of Excess Payments.  
 (State reason -- Cross out service exemption if it does not apply)

		Tax	Interest	Lien	Fee	Total	Overpaid Tax
Total Due	07/01/2020	123,301.28	0.00	0.00	0.00	123,301.28	
Total Paid	07/29/2020	137,470.80	0.00	0.00	0.00	137,470.80	-14,169.52 ***
Adjusted Refund		-14,169.52	0.00	0.00	0.00	14,169.52	

**PLEASE READ, SIGN, AND DATE BELOW:**

I am entitled to this refund because I made the payments from funds under my control, and no other party will be requesting this refund. I understand that false or deliberately misleading statements subject me to penalties for perjury and/or for obtaining money under false pretenses.

Print Name \_\_\_\_\_

Signature of Taxpayer \_\_\_\_\_

Date \_\_\_\_\_

**COLLECTOR'S RECOMMENDATION TO THE GOVERNING BODY**

To the First Selectman, or \_\_\_\_\_  
 It is recommended that refund\* of property taxes and interest in the amount of 14,169.52  
 be made to the above-named taxpayer in accordance with the provisions of Section (s):

Sec. 12-129 Refund of Excess Payments.

DATED AT CITY OF BRIDGEPORT, CONNECTICUT THIS 17 DAY OF September 2021

**ACTION TAKEN BY GOVERNING BODY**

The First Selectman, as authorized by the Board of Selectman, or \_\_\_\_\_  
 approved on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_. It was voted to refund  
 Property Taxes and Interest amounting to \$ \_\_\_\_\_ to \_\_\_\_\_.

First Selectman \_\_\_\_\_

Other Governing Body \_\_\_\_\_

Mail To :

CITY OF BRIDGEPORT  
 325 CONGRESS STREET  
 BRIDGEPORT, CT 06604





\*2019020004017\*

# AS OF 09/17/2021

## GENERAL DATA PERSONAL PROPERTY CITY OF BRIDGEPORT

BILL NO: 2019-02-0004017 ORIGINAL OWNER: 2012 ESA PROJECT COMPANY LLC  
 UNIQUE ID: P--9007270 C/O:  
 LINK# ADDRESS: 4353 N 1ST STREET 4TH FL  
 FILE# 2020DQ0032455 ADDRESS2:  
 BANK: CITY ST ZIP: SAN JOSE CA 95134  
 ESCROW: COUNTRY:  
 DISTRICT: PROP LOC.: 522 FAIRFIELD AVENUE  
 D.B.A.:  
 / BACK TAXES PROP ASSESSED: 1,871,410  
 EXEMPTIONS: EXMPT CHANGE:  
 COC CHANGE: 412,370  
 NET VALUE: 2,283,780  
 MILL RATE: 53.9900

\*\*\* BILLED \*\*\*

	CITY	TOTALS
INST1	84,176.62	84,176.62
INST2	84,176.62	84,176.62
INST3	0.00	0.00
INST4	0.00	0.00
ADJS	-45,051.96	-45,051.96
TOT TAX	123,301.28	123,301.28
TOTAL PAID:	137,470.80	137,470.80

\*\*\* PAYMENTS \*\*\*

TYPE	CYCLE	DATE	ADJ	TERM/BATCH/SEQ	INSTR	AMOUNT	INTEREST	LIENS	FEES	TOTALS
Pay-T	6	12/18/2020		3/2590/6	T	29,452.20	0.00	0.00	0.00	29,452.20
Pay-T	6	12/18/2020		3/2590/4	T	25,424.44	0.00	0.00	0.00	25,424.44
Pay-T	6	12/18/2020		3/2590/2	T	21,189.24	0.00	0.00	0.00	21,189.24
Adj	6	12/16/2020	QQ	99/1/1	T	-45,051.96	0.00	0.00	0.00	0.00
Pmt	2	08/21/2020		24/741/21	T	61,404.92	0.00	0.00	0.00	61,404.92
TOTAL PAYMENTS						137,470.80	0.00	0.00	0.00	137,470.80

TOTAL BALANCE DUE AS OF 09/17/2021

INT DUE	0.00
LIEN DUE	0.00
FEES DUE	0.00
TAX DUE NOW	-14,169.52
TOT DUE NOW	-14,169.52
BALANCE DUE	-14,169.52

\*\*\* FLAGS \*\*\*

Field	Value	Benefit Year
Circuit Breaker Amount	0	
Invalid Address Flag	No	
Last Adjustment Reason	REDUCED PER STIP JUDGMENT FILED 11/19/20	
ADD. MESSAGES		
Stip Jud HBB-CV-20-6060464-s		

Per Stip roll down all op to future bills until funds exhausted. vj 12/18/2020

**REQUEST FOR REFUND OF PERSONAL PROPERTY TAXES**

TO: Veronica Jones  
Tax Collector  
Tax Collection  
45 Lyon Terrace, Room 123  
Bridgeport, CT 06604

TAXPAYER: 2012 ESA Project Company, LLC

PROPERTY ADDRESS: Personal property (fuel cell) located at 522 Fairfield Avenue, Bridgeport, CT

AMOUNT OF REFUND: \$ 14,169.52

REASON: Taxpayer's fuel cell was assessed on the 2016, 2017, 2018 & 2019 grand lists. Taxpayer filed an appeal in court disputing the valuation and the parties entered into a stipulation reducing the assessments and providing the taxpayer with a credit for any overpayment of taxes applied to the January 2021 and July 2021 bill. The Taxpayer received its credits due for the January 2021 bill (2<sup>nd</sup> half of the 2019 assessment), with a balance owed of \$14,169.52 to be applied to the July 2021 bill. The Taxpayer's fuel cell was deemed exempt from taxes for the 2020 grand list, therefore the taxpayer's July 2021 bill was \$0. Accordingly, since the fuel cell is now exempt and Taxpayer does not have any other assets located in Bridgeport, it is requesting that the \$14,169.52 overpayment be refunded to the Taxpayer in accordance with CGS §12-129.

2012 ESA Project Company, LLC is entitled to this refund because it made payments from funds under its control, and no other party will be requesting this refund.

The undersigned authorized officer of 2012 ESA Project Company, LLC understands that false or deliberately misleading statements subject me to penalties for perjury and/or obtaining money under false pretenses.

Tim Gray

Print Name

DocuSigned by:



9/2/2021

Signature

Date

## Fonseca, Nancy

---

**From:** Jones, Veronica  
**Sent:** Friday, September 17, 2021 12:26 PM  
**To:** Fonseca, Nancy  
**Subject:** FW: 2012 ESA Project v. Bridgeport- Request for refund

**From:** Amy Blume <apb@bvmlaw.com>  
**Sent:** Friday, September 17, 2021 9:39 AM  
**To:** Liskov, Russell <Russell.Liskov@Bridgeportct.gov>; Jones, Veronica <Veronica.Jones@Bridgeportct.gov>  
**Cc:** Miller, Julie <Julie.Miller@Bridgeportct.gov>  
**Subject:** RE: 2012 ESA Project v. Bridgeport- Request for refund

The statute that exempts the fuel cell is CGS sec. 12-81(57). The subsection that applies to this fuel cell is (B):

§ 12-81. Exemptions The following-described property shall be exempt from taxation:

(57) Class I renewable energy sources, hydropower facilities, solar water or space heating systems, geothermal energy resources and solar thermal or geothermal renewable energy sources.

(B) For assessment years commencing on and after October 1, 2013, any Class I renewable energy source, as defined in section 16-1, hydropower facility described in subdivision (21) of subsection (a) of section 16-1, or solar thermal or geothermal renewable energy source, installed for generation or displacement of energy, provided (i) such installation occurs on or after January 1, 2010, (ii) such installation is for commercial or industrial purposes, (iii) the nameplate capacity of such source or facility does not exceed the load for the location where such generation or displacement is located, and (iv) such source or facility is located in a distressed municipality, as defined in section 32-9p, with a population between one hundred twenty-five thousand and one hundred thirty-five thousand.

Please advise if you need anything further.

Amy P. Blume, Esq.  
Bershtein, Volpe & McKeon, P.C.  
900 Chapel Street  
11th floor  
New Haven, CT 06510  
Phone (203) 777-5800 ext. 109  
Direct Dial (203) 859-6229  
Fax (203) 777-5806  
[www.bvmlaw.com](http://www.bvmlaw.com)

Member of  
**NAPTA**  NATIONAL ASSOCIATION OF  
PROPERTY TAX ADVISORS

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**From:** Liskov, Russell <[Russell.Liskov@Bridgeportct.gov](mailto:Russell.Liskov@Bridgeportct.gov)>  
**Sent:** Friday, September 17, 2021 8:00 AM  
**To:** Jones, Veronica <[Veronica.Jones@Bridgeportct.gov](mailto:Veronica.Jones@Bridgeportct.gov)>; Amy Blume <[apb@bvmlaw.com](mailto:apb@bvmlaw.com)>  
**Cc:** Miller, Julie <[Julie.Miller@Bridgeportct.gov](mailto:Julie.Miller@Bridgeportct.gov)>  
**Subject:** Re: 2012 ESA Project v. Bridgeport- Request for refund

The property is now exempt and will be exempt in the future, thus the only way to clear the balance is a refund. Amy pleas send the exemption statute. This will save me time.

---

**From:** Jones, Veronica <[Veronica.Jones@Bridgeportct.gov](mailto:Veronica.Jones@Bridgeportct.gov)>  
**Sent:** Thursday, September 16, 2021 1:35 PM  
**To:** Liskov, Russell <[Russell.Liskov@Bridgeportct.gov](mailto:Russell.Liskov@Bridgeportct.gov)>  
**Cc:** Miller, Julie <[Julie.Miller@Bridgeportct.gov](mailto:Julie.Miller@Bridgeportct.gov)>  
**Subject:** Re: 2012 ESA Project v. Bridgeport- Request for refund

Russell,  
CGS 12-129 just refer to the refund. I need the statute that states I can refund this account. The stip is not clear on any refund. It states to pay taxes. I will check will the assessor's office to see how long this account will be exempt.

---

**From:** Liskov, Russell <[Russell.Liskov@Bridgeportct.gov](mailto:Russell.Liskov@Bridgeportct.gov)>  
**Sent:** Wednesday, September 15, 2021 7:02 AM  
**To:** Jones, Veronica <[Veronica.Jones@Bridgeportct.gov](mailto:Veronica.Jones@Bridgeportct.gov)>  
**Subject:** Fw: 2012 ESA Project v. Bridgeport- Request for refund

---

**From:** Amy Blume <[apb@bvmlaw.com](mailto:apb@bvmlaw.com)>  
**Sent:** Tuesday, September 14, 2021 11:17 AM  
**To:** Liskov, Russell <[Russell.Liskov@Bridgeportct.gov](mailto:Russell.Liskov@Bridgeportct.gov)>  
**Subject:** 2012 ESA Project v. Bridgeport- Request for refund

Hi Russell, hope you had a great time at the wedding.

Could you please forward the attached request for refund to the tax collector and advise if anything else needed to process a refund. Any assistance you could provide to get this processed is greatly appreciated.

Thanks.

Amy P. Blume, Esq.  
Bershtein, Volpe & McKeon, P.C.  
900 Chapel Street

11th floor  
New Haven, CT 06510  
Phone (203) 777-5800 ext. 109  
Direct Dial (203) 859-6229  
Fax (203) 777-5806  
[www.bvmlaw.com](http://www.bvmlaw.com)

Member of



[www.napta.com](http://www.napta.com)

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DOCKET NO: HHB-CV-20-6060464-S : SUPERIOR COURT  
2012 ESA PROJECT COMPANY, LLC : J.D. OF NEW BRITAIN  
VS :  
CITY OF BRIDGEPORT : AT NEW BRITAIN  
NOVEMBER 19, 2020

**AGREEMENT FOR STIPULATED JUDGMENT**

1. The Plaintiff, 2012 ESA Project Company, LLC (the "Plaintiff"), on October 1, 2016, October 1, 2017, October 1, 2018 and October 1, 2019 was the owner of certain personal property in the City of Bridgeport, Connecticut (hereinafter the "Property").

2. The Plaintiff filed its personal property declaration for the Grand Lists of the above mentioned years indicating a total value for the personal property, which value represented a depreciated value of the original cost.

3. The Assessor of the City, after an audit of the tax years 2016, 2017 and 2018 and change in assessment for 2019, assigned a total assessed value (representing the depreciated 70% value) to the personal property as follows:

- a) October 1, 2016 = \$3,742,348
- b) October 1, 2017 = \$3,430,291
- c) October 1, 2018 = \$3,118,230
- d) October 1, 2019 = \$3,118,230

4. The Plaintiff never received notice of an increase in assessment for the October 1, 2016, 2017, 2018 or 2019 grand lists prior to February 20, 2020 and therefore was barred from appealing to the City's Board of the Assessment Appeals ("BAA") for a correction of the



assessments. Accordingly, the Plaintiff instituted its appeal to this court pursuant to §12-119 and §12-117a.

5. Based upon negotiations and additional evidence, the parties have agreed to the following changes to the assessments of the personal property:

- a. October 1, 2016 Grand List, net assessment of \$3,352,625.
- b. October 1, 2017 Grand List, net assessment of \$2,962,672.
- c. October 1, 2018 Grand List, net assessment of \$2,572,718.
- d. October 1, 2019 Grand List, net assessment of \$2,283,780.

6. This Agreement shall be binding on the Plaintiff, its successors and assigns.

7. Each party shall bear its own costs, fees and expenses.


8. The parties acknowledge there is a credit due and owing to the Plaintiff as a result of the amended assessments of the Property and Plaintiff acknowledges that said credit shall be applicable to the January 2021 tax bill and if necessary, to the next tax bill issued in July 2021.

The Plaintiff  
2012 ESA PROJECT COMPANY, LLC

By: 

Amy B. Blume, Esq.  
Bershtein, Volpe & McKeon P.C.  
900 Chapel Street, 11<sup>th</sup> Floor  
New Haven, CT 06510  
Its Attorney

The Defendant  
CITY OF BRIDGEPORT

By: 

Russell D. Liskov, Esq.  
Bridgeport City Attorney  
Office of City Attorney  
999 Broad Street  
Bridgeport, CT 06604  
Its Attorney

DOCKET NO: HHB-CV-20-6060464-S : SUPERIOR COURT  
2012 ESA PROJECT COMPANY, LLC : J.D. OF NEW BRITAIN  
VS :  
CITY OF BRIDGEPORT : AT NEW BRITAIN  
: NOVEMBER 19, 2020

**MOTION FOR JUDGMENT IN ACCORDANCE WITH STIPULATION**

The Plaintiff, 2012 ESA Project Company, LLC, hereby moves for judgment in the above-referenced matter pursuant to the Stipulation executed and entered into by and between the parties, which is attached hereto.

THE PLAINTIFF:  
2012 ESA PROJECT COMPANY, LLC

By: 308845  
Amy P. Blume  
Bershtein, Volpe & McKeon P.C.  
900 Chapel Street, 11<sup>th</sup> Floor  
New Haven, CT 06510  
Juris # 412124 Tel. # (203)777-5800

**CERTIFICATION**

I certify that a copy of the above was or will immediately be mailed or delivered electronically or non-electronically on November 19, 2020 to all counsel and self-represented parties of record and that written consent for electronic delivery was received from all counsel and self-represented parties of record who were or will immediately be electronically served.

Bridgeport City Attorney  
Office of City Attorney  
999 Broad Street  
Bridgeport, CT 06604

308845  
\_\_\_\_\_  
Amy P. Blume

Item# 04-21

Refund of Excess Payments - DRS Naval Power Systems, INC. regarding 196 Island Brook Avenue.



**Report  
of  
Committee  
on**

**Miscellaneous Matters**

City Council Meeting Date: January 3, 2022

Attest: *Lydia N. Martinez*  
Lydia N. Martinez, City Clerk

Approved by: \_\_\_\_\_  
Joseph P. Ganim, Mayor

Date Signed: \_\_\_\_\_

Please Note: Mayor Did Not Sign Report

RECEIVED  
CITY CLERKS OFFICE  
22 JAN 19 PM 2:15  
ATTEST  
CITY CLERK



# City of Bridgeport, Connecticut

## Office of the City Clerk

*To the City Council of the City of Bridgeport:*

The Committee on Miscellaneous Matters begs leave to report; and recommends for adoption the following resolution:

Item No. 04-21

**BE IT RESOLVED**, That the Comptroller be, and hereby is authorized, empowered and directed to draw his warrants on the City Treasurer in favor of the following named person and for the amount set opposite said name, all in accordance with the recommendation of the Tax Collector.

<u>Name &amp; Address</u>	<u>Reason</u>	<u>Refund</u>
DRS Naval Power Systems, Inc. 21 South Street Danbury, CT 06810	12-129	\$10,492.69
Reference: 196 Island Brook Avenue 2019-01-0009621		

RESPECTFULLY SUBMITTED,  
THE COMMITTEE ON  
**MISCELLANEOUS MATTERS**

\_\_\_\_\_  
Amy-Marie Vizzo-Paniccia, *Co-Chair*

\_\_\_\_\_  
Tyler Mack, *Co-Chair*

\_\_\_\_\_  
Marcus A. Brown

\_\_\_\_\_  
Alfredo Castillo

\_\_\_\_\_  
Aikeem G. Boyd

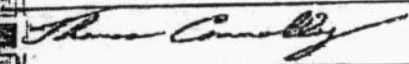
\_\_\_\_\_  
Matthew McCarthy

\_\_\_\_\_  
Wanda R. Simmons

*City Council Date: January 3, 2022*



Current Date: July 21, 2021  
 Account Number: 662806558  
 Capture Date: February 04, 2021  
 Item Number: 5250013176974  
 Posted Date: February 04, 2021  
 Amount: 103,379.25  
 Record Type: Foreign Item (Not On Us)

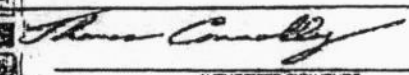
<b>DRS NAVAL POWER SYSTEMS, INC.</b> 21 SOUTH ST DANBURY, CT 06810		<b>CHASE</b> <small>Member FDIC</small> 50-937/213		125730
	DATE	CONTROL NO.	AMOUNT	
	01/21/2021	000125730	\$103,379.25	
One Hundred Three Thousand Three Hundred Seventy Nine And 25/100 Dollars				
<b>PAY TO THE ORDER OF</b>	<b>CITY OF BRIDGEPORT, THE TAX COLLECTOR</b> 325 CONGRESS STREET BRIDGEPORT, CT 06604			
				
	AUTHORIZED SIGNATURE			

⑈ 125730⑈ 10213093791⑈ 662806558⑈

987700035 1 7 02/04/2021 00000

CREDIT TO THE ACCOUNT OF  
 THE WITHIN NAMED PAYEE  
 PAYMENT ACCEPTED WITHOUT PREJUDICE  
 ABSENCE OF ENDORSEMENT GUARANTEED  
 WEBSTER BANK >211170101<

Current Date: July 21, 2021  
 Account Number: 662806558  
 Capture Date: February 04, 2021  
 Item Number: 5250013178974  
 Posted Date: February 04, 2021  
 Amount: 103,379.25  
 Record Type: Foreign Item (Not On Us)

<b>DRS NAVAL POWER SYSTEMS, INC.</b> 21 SOUTH ST DANBURY, CT 06810		<b>CHASE</b> <small>Member Chase Bank, N.A. Syosset, New York</small> 50-937/213		125730
	DATE	CONTROL NO.	AMOUNT	
	01/21/2021	000125730	\$103,379.25	
One Hundred Three Thousand Three Hundred Seventy Nine And 25/100 Dollars				
<b>PAY TO THE ORDER OF</b>	<b>CITY OF BRIDGEPORT, THE TAX COLLECTOR</b> 325 CONGRESS STREET BRIDGEPORT, CT 06604			
				AUTHORIZED SIGNATURE

⑈ 125730⑈ ⑆021309379⑆ 662806558⑈

987700035 1 7 02/04/2021 00000

CREDIT TO THE ACCOUNT OF  
 THE WITHIN NAMED PAYEE  
 PAYMENT ACCEPTED WITHOUT PREJUDICE  
 ABSENCE OF ENDORSEMENT GUARANTEED  
 WEBSTER BANK >211170101<



EFT/ACH Detail for Invoice: 2019010009621-2

**Transaction Date:** 1/28/2021 4:41:43 AM

**Account Number:** 1535--15-----CV-0730202113322

**Invoice Number:** 2019010009621-2

**Auth Order Number:** M1B28D4142537

**Invoice Type:** Real Estate

**Customer:** 141 N AVE LLC

**Address:** 4775 Collins Avenue, Suite 2504

**City, State, Zip:** MIAMI BEACH, FL 33140

**Phone Number:**

**Email Address:**

**RTE / Account:** 021000021 / XXXXX1381

**Account Type:** Commercial Checking

**Transaction Code:** Sale

**Transaction Amount:** \$10,492.69

**Convenience Fee:** \$0.00

**Total Amount:** \$10,492.69

**Reference:** 601286D6F3D5E0F55A1D8A01EF047C8EE8CD5372

**Message:** PAYMENT PROCESSED 774712

**Bill Reference:**

**WSReportID:** 789

**Payment Source:** Scheduled Payment

**Payment Processed By:** N/A

**Remote IP:** 127.0.0.1

2020-07-0021815  
\$1,500.00 CHECK 8:40:04 AM  
<15> B:0785 TR:0001 08/04/2021  
WEBSTER BANK FOR DEPOSIT ONLY CITY OF BPT LA  
ACCT 101918085745

**REQUEST FOR ABATEMENT OR REFUND OF PROPERTY TAXES**

Sec. 12-81(20), Sec. 12-124, 12-125, 12-126, 12-127, 12-127a, 12-128, 12-129 Rev. as Amended  
 This is to certify that 141 N AVE LLC

has presented satisfactory proof that he/she is entitled to an exemption on the assessment list of 10/01/2019

- Sec. 12-81 (20) Servicemen Having Disability Rating.
- Sec. 12-124 Abatement to poor.
- Sec. 12-125 Abatement of Taxes of Corporations.
- Sec. 12-126 Tangible Personal Property Assessed in more than one Municipality.
- Sec. 12-127 Abatement or Refund to Blind Persons.
- Sec. 12-127A Abatement of Taxes on Structures of Historical or Architectural Merit.
- Sec. 12-128 Refund of Taxes Erroneously Collected from Veterans and Relatives.
- Sec. 12-129 Refund of Excess Payments.

141 N AVE LLC  
~~1962 EAST MAIN ST~~  
 BRIDGEPORT, CT 06610

2019-01-0009621  
 1535--15-----  
 196 ISLAND BROOK AV



*Take check  
 office L\**

DRS Naval Power Systems, Inc.

21 South St.

Danbury, CT 06810

Collector of CITY OF BRIDGEPORT State of Connecticut.

To Re: 196 Island Brook Ave Bpr 06606  
 I hereby apply for refund\* of such part of my tax as shall represent:

The service exemption or  
 (State reason -- Cross out service exemption if it does not apply)

		Tax	Interest	Lien	Fee	Total	Overpaid Tax
Total Due	07/01/2020	20,985.38	0.00	0.00	0.00	20,985.38	
Total Paid	02/01/2021	31,478.07	0.00	0.00	0.00	31,478.07	-10,492.69 ***
Adjusted Refund		0.00	0.00	0.00	0.00	10,492.69	

**PLEASE READ, SIGN, AND DATE BELOW:**

I am entitled to this refund because I made the payments from funds under my control, and no other party will be requesting this refund. I understand that false or deliberately misleading statements subject me to penalties for perjury and/or for obtaining money under false pretenses.

Jason Rinsky  
 Print Name

[Signature]  
 Signature of Taxpayer

8/9/2021  
 Date

**COLLECTOR'S RECOMMENDATION TO THE GOVERNING BODY**

To the First Selectman, or \_\_\_\_\_  
 It is recommended that refund\* of property taxes and interest in the amount of 10,492.69  
 be made to the above-named taxpayer in accordance with the provisions of Section (s):

DATED AT CITY OF BRIDGEPORT, CONNECTICUT THIS 06 DAY OF August 2021

[Signature]  
 TAX COLLECTOR

**ACTION TAKEN BY GOVERNING BODY**

The First Selectman, as authorized by the Board of Selectmen, or \_\_\_\_\_  
 approved on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_. It was voted to refund  
 Property Taxes and Interest amounting to \$ \_\_\_\_\_ to \_\_\_\_\_.

First Selectman

Other Governing Body

Mail To :  
 CITY OF BRIDGEPORT  
 325 CONGRESS STREET  
 BRIDGEPORT, CT 06604

EFT/ACH Detail for Invoice: 2019010009621-2

**Transaction Date:** 1/28/2021 4:41:43 AM

**Account Number:** 1535--15-----CV-0730202113322

**Invoice Number:** 2019010009621-2

**Auth Order Number:** M1B28D4142537

**Invoice Type:** Real Estate

**Customer:** 141 N AVE LLC

**Address:** 4775 Collins Avenue, Suite 2504

**City, State, Zip:** MIAMI BEACH, FL 33140

**Phone Number:**

**Email Address:**

**RTE / Account:** 021000021 / XXXXX1381

**Account Type:** Commercial Checking

**Transaction Code:** Sale

**Transaction Amount:** \$10,492.69

**Convenience Fee:** \$0.00

**Total Amount:** \$10,492.69

**Reference:** 601286D6F3D5E0F55A1D8A01EF047C8EE8CD5372

**Message:** PAYMENT PROCESSED 774712

**Biller Reference:**

**WSReportID:** 789

**Payment Source:** Scheduled Payment

**Payment Processed By:** N/A

**Remote IP:** 127.0.0.1





Item# 05-21

Refund of Excess Payments - DRS Naval Power Systems, INC. regarding 141 North Avenue.



Report  
of  
Committee  
on

Miscellaneous Matters

City Council Meeting Date: January 3, 2022

Attest: Lydia N. Martinez  
Lydia N. Martinez, City Clerk

Approved by: \_\_\_\_\_  
Joseph P. Ganim, Mayor

Date Signed: \_\_\_\_\_

Please Note: Mayor Did Not Sign Report

RECEIVED  
CITY CLERKS OFFICE  
22 JAN 19 PM 2:15  
ATTEST  
CITY CLERK



# City of Bridgeport, Connecticut

## Office of the City Clerk

*To the City Council of the City of Bridgeport:*

The Committee on Miscellaneous Matters begs leave to report; and recommends for adoption the following resolution:

**Item No. 05-21**

**BE IT RESOLVED**, That the Comptroller be, and hereby is authorized, empowered and directed to draw his warrants on the City Treasurer in favor of the following named person and for the amount set opposite said name, all in accordance with the recommendation of the Tax Collector.

<u>Name &amp; Address</u>	<u>Reason</u>	<u>Refund</u>
DRS Naval Power Systems, Inc. 21 South Street Danbury, CT 06810	12-129	\$53,988.11
Reference: 141 North Avenue 2019-01-0009617		

RESPECTFULLY SUBMITTED,  
THE COMMITTEE ON  
**MISCELLANEOUS MATTERS**

\_\_\_\_\_  
Amy-Marie Vizzo-Paniccia, *Co-Chair*

\_\_\_\_\_  
Tyler Mack, *Co-Chair*

\_\_\_\_\_  
Marcus A. Brown

\_\_\_\_\_  
Alfredo Castillo

\_\_\_\_\_  
Aikeem G. Boyd

\_\_\_\_\_  
Matthew McCarthy

\_\_\_\_\_  
Wanda R. Simmons

*City Council Date:* January 3, 2022

**REQUEST FOR ABATEMENT OR REFUND OF PROPERTY TAXES**

Sec. 12-81(20), Sec. 12-124, 12-125, 12-126, 12-127, 12-127a, 12-128, 12-129 Rev. as Amended  
 This is to certify that 141 N AVE LLC

has presented satisfactory proof that he/she is entitled to an exemption on the assessment list of 10/01/2019

- Sec. 12-81 (20) Servicemen Having Disability Rating.
- Sec. 12-124 Abatement to poor.
- Sec. 12-125 Abatement of Taxes of Corporations.
- Sec. 12-126 Tangible Personal Property Assessed in more than one Municipality.
- Sec. 12-127 Abatement or Refund to Blind Persons.
- Sec. 12-127A Abatement of Taxes on Structures of Historical or Architectural Merit.
- Sec. 12-128 Refund of Taxes Erroneously Collected from Veterans and Relatives.
- Sec. 12-129 Refund of Excess Payments.

141 N AVE LLC  
 1862 EAST MAIN ST  
 BRIDGEPORT, CT 06610

*Mark Oak*  
*Payroll Dept*  
**DRS**

2019-01-0009617  
 1535--04B-----  
 141 NORTH AV



To Collector of **CITY OF BRIDGEPORT** State of Connecticut.

I hereby apply for refund\* of such part of my tax as shall represent:

The service exemption or  
 (State reason -- Cross out service exemption if it does not apply)

		Tax	Interest	Lien	Fee	Total	Overpaid Tax
Total Due	07/01/2020	107,976.22	0.00	0.00	0.00	107,976.22	
Total Paid	02/01/2021	161,964.33	0.00	0.00	0.00	161,964.33	-53,988.11 ***
Adjusted Refund		0.00	0.00	0.00	0.00	53,988.11	

**PLEASE READ, SIGN, AND DATE BELOW:**

I am entitled to this refund because I made the payments from funds under my control, and no other party will be requesting this refund. I understand that false or deliberately misleading statements subject me to penalties for perjury and/or for obtaining money under false pretenses.

Jason Rinsky  
 Print Name

[Signature]  
 Signature of Taxpayer

8/9/2021  
 Date

**COLLECTOR'S RECOMMENDATION TO THE GOVERNING BODY**

To the First Selectman, or \_\_\_\_\_  
 It is recommended that refund\* of property taxes and interest in the amount of 53,988.11  
 be made to the above-named taxpayer in accordance with the provisions of Section (s):

DATED AT CITY OF BRIDGEPORT, CONNECTICUT THIS 21 DAY OF July 2021

[Signature]  
 TAX COLLECTOR

**ACTION TAKEN BY GOVERNING BODY**

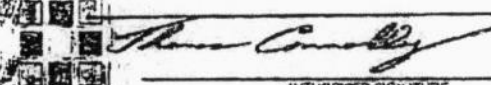
The First Selectman, as authorized by the Board of Selectman, or \_\_\_\_\_  
 approved on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_. It was voted to refund  
 Property Taxes and Interest amounting to \$ \_\_\_\_\_ to \_\_\_\_\_.

First Selectman

Other Governing Body

Mail To :  
 CITY OF BRIDGEPORT  
 325 CONGRESS STREET  
 BRIDGEPORT, CT 06604

Current Date: July 21, 2021  
 Account Number: 662806558  
 Capture Date: February 04, 2021  
 Item Number: 5250013176974  
 Posted Date: February 04, 2021  
 Amount: 103,379.25  
 Record Type: Foreign Item (Not On Us)

<b>DRS NAVAL POWER SYSTEMS, INC.</b> 21 SOUTH ST DANBURY, CT 06810		<b>CHASE</b> <small>Chase Bank, N.A. Branch, New York</small> 50-937/213		125730
	DATE	CONTROL NO.	AMOUNT	
	01/21/2021	000125730	\$103,379.25	
One Hundred Three Thousand Three Hundred Seventy Nine And 25/100 Dollars				
PAY TO THE ORDER OF	CITY OF BRIDGEPORT, THE TAX COLLECTOR 325 CONGRESS STREET BRIDGEPORT, CT 06604			
	 <small>AUTHORIZED SIGNATURE</small>			

⑈ 125730⑈ ⑆ 021309379⑆ 662806558⑈

987700035 1 7 02/04/2021 00000

CREDIT TO THE ACCOUNT OF  
 THE WITHIN NAMED PAYEE  
 PAYMENT ACCEPTED WITHOUT PREJUDICE  
 ABSENCE OF ENDORSEMENT GUARANTEED  
 WEBSTER BANK >211170101<



## Martinsky, John

---

**From:** Herd, Thomas <thomas.herd@drs.com>  
**Sent:** Thursday, August 12, 2021 12:29 PM  
**To:** Martinsky, John  
**Subject:** FW: [EXTERNAL] FW: refund application - Engineered Electric Co.  
**Attachments:** 141 N Ave Property Tax Refund 08.09.21 - signed 8-9-21.pdf

Mr. Martinsky,

By way of introduction, my name is Thomas Herd and I lead the real estate team for Leonardo DRS, the parent of Engineered Electric and its successor companies, to include the current Naval Power Systems. As I know you are aware, both Naval Power Systems and 141 N Ave LL paid the 2020 property taxes for the properties located at 141 N Ave and 196 Island Brook and as such I am requesting refund of those payments.

Attached you will find the executed refund application for the properties located at 141 North Ave and 196 Island Brook Ave – going forward I will be your point of contact on this matter.

Please let me know if you have any questions or need any additional information.

Respectfully,  
Thomas Herd



Thomas M Herd  
Corporate Vice President &  
Head of Global Real Estate

2345 Crystal Drive, #1000  
Arlington, VA 22202 USA  
Tel +1 703 236 4640 Mobile +1 571 205 9167  
[thomas.herd@drs.com](mailto:thomas.herd@drs.com)  
[leonardodrs.com](http://leonardodrs.com)

**From:** Martinsky, John <[John.Martinsky@Bridgeportct.gov](mailto:John.Martinsky@Bridgeportct.gov)>  
**Sent:** Wednesday, July 21, 2021 11:49 AM  
**To:** [robbie490@aol.com](mailto:robbie490@aol.com)  
**Subject:** refund application - Engineered Electric Co.

Mr. Herskowitz,  
Enclosed is a copy of the refund application for Engineered Electric Co. along with the check copy and corresponding bills.

John Martinsky  
Bridgeport Tax Collector's Office

-----Original Message-----

From: WorkCentre 5335 <[taxcollector@bridgeportct.gov](mailto:taxcollector@bridgeportct.gov)>



**Martinsky, John**

**From:** robbie490@aol.com  
**Sent:** Friday, July 30, 2021 3:52 PM  
**To:** Martinsky, John  
**Subject:** RE: refund application - Engineered Electric Co.

John,  
Please call me at 917-882-1560 I realized that we overpaid other taxes as well. Thanks

*Robert Herskowitz (P) (917) 882-1560*

**From:** Martinsky, John <John.Martinsky@Bridgeportct.gov>  
**Sent:** Wednesday, July 21, 2021 11:49 AM  
**To:** robbie490@aol.com  
**Subject:** refund application - Engineered Electric Co.

Mr. Herskowitz,  
Enclosed is a copy of the refund application for Engineered Electric Co. along with the check copy and corresponding bills.

John Martinsky  
Bridgeport Tax Collector's Office

—Original Message—

**From:** WorkCentre 5335 <taxcollector@bridgeportct.gov>  
**Sent:** Wednesday, July 21, 2021 11:43 AM  
**To:** Martinsky, John <John.Martinsky@Bridgeportct.gov>  
**Subject:** Scan from a Xerox WorkCentre

Please open the attached document. It was scanned and sent to you using a Xerox WorkCentre.

Number of Images: 8  
Attachment File Type: PDF

Device Name: WorkCentre 5335  
Device Location:

For more information on Xerox products and solutions, please visit  
<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.xerox.com%2F&data=04%7C01%7CJohn.Martinsky%40Bridgeportct.gov%7C2e33ffb45ed48f6791d08d94c5df875%7C32284bdee6854f9f9e18dc8b1c47f99f%7C1%7C0%7C637624788763181512%7CUnknown%7CTWFpbGZsb3d8eyJWljoIMC4wLjAwMDAiLCJQIiIiV2luMzliLCJBTiI6Iik1haWwILCJXVCi6Mn0%3D%7C1000&data=vyoOdI5ljSDxcPsBPkMPotrKZTzUfe8BK%2FOkagElavk%3D&reserv ed=0>

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in Security, archiving and compliance.

Item #11-21

Resolution Authorizing a Tax Incentive Development Agreement for a New Residential Development at Steelpointe along East Main Street South of Stratford Avenue.



Report  
of  
Joint Committee

Economic Community and Redevelopment and  
Environment & Contracts

City Council Meeting Date: January 3, 2022

Attest: *Lydia N. Martinez*  
Lydia N. Martinez, City Clerk

Approved by: \_\_\_\_\_  
Joseph P. Ganim, Mayor

Date Signed: \_\_\_\_\_

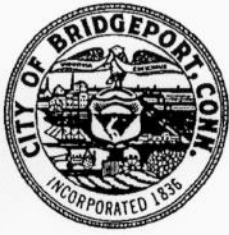
Please note: Mayor did not sign Report.

CITY CLERK

ATTEST

22 JAN 19 PM 2:16

RECEIVED  
CITY CLERKS OFFICE



# City of Bridgeport, Connecticut

## Office of the City Clerk

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*To the City Council of the City of Bridgeport.*

The Joint Committee on ECD & Environment and Contracts begs leave to report; and recommends for adoption the following resolution:

Item No. 11-21

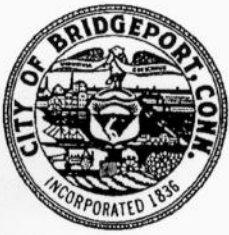
**Resolution Authorizing a Tax Incentive Development Agreement for a  
new Residential Development at SteelPointe  
along East Main Street south of Stratford Avenue**

**WHEREAS**, SP Residential 1, LLC (the "**Developer**") wishes to develop certain real property of approximately 283,140 square feet (approximately 6.5 acres) located on a portion of an existing parcel of approximately 15.43 acres known as 137 East Main Street, located south of Stratford Avenue on the westerly side of East Main Street north of Bridgeport Harbor within the Steelpointe Development Area in Bridgeport, Connecticut (the "**Property**"), and intends to invest approximately \$100 Million (\$100,000,000) Dollars in private capital (the "**Project Investment**") in the development of the Property in order to create approximately 400 units of housing, structured parking, complementary retail space, and related project amenities (the "**Project**") on the Property;

**WHEREAS**, the Developer has secured general land use approval for the Project from the Bridgeport Planning and Zoning Commission pursuant to its May 19th, 2010 approval of the *Planned Development District #1 Regulations (General Development Plan)*;

**WHEREAS**, the Developer has made application to the City's Office of Planning and Economic Development ("OPED") for a Tax Incentive Development Agreement (the "**Agreement**" attached hereto as **Attachment A**) which would establish a phased-in, increasing tax payment schedule for the Project for a ten (10) year operating period following a two (2) year construction period as more particularly described in the "OPED Tax Payment Schedule" attached hereto as **Exhibit A**;

**WHEREAS**, via separate resolution pursuant to the requirements of the *Connecticut City and Town Development Act* (Chapter 114 of the *Connecticut General Statutes*, herein referred to as the "*Act*"), and as a precursor to its consideration of this Agreement, the City Council has made certain findings (as are more particularly detailed within the Act, in Section 7-485 of the *Connecticut General Statutes*);



# City of Bridgeport, Connecticut

## Office of the City Clerk

---

Report of Joint Committee on ECD & Environment and Contracts  
Item No. 11-21

-2-

**WHEREAS**, OPED has analyzed this request, subjecting it to an economic pro forma analysis against industry and market standards for this type of Project, considering such factors as Developer equity and return, costs of construction, and the leveraging of private financing, all as per the requirements of the *City's Tax Incentive Development Program, Ch 3.20 of the Municipal Code*;

**WHEREAS**, based on the proportionally derived assessed value of the Property of approximately \$549,981, and the current mill rate of 43.45, the current annual tax revenue attributable to the Property as vacant land amounts to \$23,897;

**WHEREAS**, under the Agreement, the annual tax revenue produced by the Project on the Property would amount to approximately \$1,260,000 (one million two hundred sixty thousand dollars) during the first full year of occupancy, and would escalate annually by 2% during the length of the Agreement to produce \$1,476,291 (one-million four-hundred seventy-six, two-hundred ninety-one dollars) in annual tax revenue during the tenth year of operation, and a total of over \$8.1 million in tax revenue over the first ten years of operation;

**WHEREAS**, based on the approximate Project cost of \$100 million, the Project would also produce approximately \$2.1 million dollars in building permit fee revenue for the City at the commencement of construction;

**WHEREAS**, the Project is subject under the Agreement to the provisions of *City Ordinance Ch. 3.29 — Employment Opportunities with Developers Fostering Economic Development*, which requires that, during the development of this Project, the first consideration of any additional employment of tradesmen/tradeswomen and/or any apprentices to be working on this Project will be given to qualified applicants who are residents of the City and/or who are ex-felons to the greatest extent possible toward meeting the requirements of twenty (20%) percent local resident hires and five (5%) percent ex-felon hires;

**WHEREAS**, the Agreement requires that the Developer also comply with the *City's Minority Business Enterprise Program Ordinance, Chapter 3.12.130 of the Code of Ordinances*, which establishes a requirement that six percent (6.0%) of the value of the construction contracts awarded for the Project be awarded to African-American-Owned Minority Business Enterprises, and establishes an overall attainable goal that fifteen percent (15%) of the value of the Project's construction contracts be awarded to Minority-Owned Business Enterprises and fifteen percent (15%) to Women-Owned Business Enterprises after applying the credit for awards made to African-American-Owned Minority Business Enterprises;



# City of Bridgeport, Connecticut

## Office of the City Clerk

---

Report of Joint Committee on ECD & Environment and Contracts  
Item No. 11-21

-3-

**WHEREAS**, this Project meets the eligibility criteria of the City's Tax Incentive Development Program in that OPED finds that it:

- (1) represents at least \$3 million in investment;
- (2) is compatible with the Master Plan;
- (3) has received OPED's economic pro-forma analysis;
- (4) creates public benefits in neighborhood improvement;
- (5) shall not generate any less in taxes than in the year prior;
- (6) shall begin construction within two years;
- (7) has earned OPED's favorable report on economic impact;

**WHEREAS**, this matter requires the publication of newspaper notice, or other suitable public notice, and the scheduling of a public hearing prior to approval;

**NOW THEREFORE, BE IT RESOLVED** that the above recitals are hereby incorporated into the body of this resolution, that the Agreement is hereby approved in substantially the form attached hereto, and that the Mayor or the OPED Director is authorized to execute the attached Agreement, and is authorized to take such other necessary actions in furtherance of the Agreement consistent with this resolution in the best interests of the City.



# City of Bridgeport, Connecticut Office of the City Clerk

---

Report of Joint Committee on ECD & Environment and Contracts  
Item No. 11-21

-4-

**RESPECTFULLY SUBMITTED,  
THE JOINT COMMITTEE ON  
ECONOMIC AND COMMUNITY DEVELOPMENT  
AND ENVIRONMENT AND CONTRACTS**

---

*Jeanette Herron, D-133rd, Co-Chair*

---

*Matthew McCarthy, D-130th, Co-Chair*

---

*Maria I. Valle, D-137<sup>th</sup>, Co-Chair*

---

*Scott Burns, D-130<sup>th</sup>, Co-Chair*

---

*Jorge Cruz, Sr., D-131st*

---

*Rosalina Roman-Christy, D-135<sup>th</sup>*

---

*Maria H. Pereira, D-138<sup>th</sup>*

---

*Ernest Newton, II, D-139<sup>th</sup>*

---

*Avelino D. Silva, D-138<sup>th</sup>*

---

*Michelle A. Lyons, D-134<sup>th</sup>*

---

*Tyler Mack, D-131<sup>st</sup>*

---

*Mary A. McBride-Lee, D-135<sup>th</sup>*

---

*Marcus A. Brown, D-132nd*

*City Council Date: January 3, 2022*

**TAX INCENTIVE DEVELOPMENT AGREEMENT**

**BY AND BETWEEN**

**THE CITY OF BRIDGEPORT ("CITY")**

**AND**

**SP Residential 1, LLC**

**("DEVELOPER")**

**RE: STEEL POINT RESIDENTIAL DEVELOPMENT**

**East Main Street South of Stratford Avenue**

**WHEREAS**, the Developer owns certain real property on the Steel Point Peninsula consisting of an approximately 6.5 acre portion of a larger, approximately 15.43 acre, parcel having an address of 137 East Main Street in Bridgeport, Connecticut, as more particularly described in **Schedule A** attached hereto and made a part hereof (the "**Property**") and intends to invest approximately \$100,000,000.00 in the redevelopment of the Property in order to create an approximately 400 units of housing, structured parking, complementary retail space, and related project amenities (collectively, the "**Project**") as permitted in that certain Amended and Restated Land Disposition Agreement between the parties dated November 30, 2009 (the "**LDA**"), which LDA is incorporated by reference as if fully set forth herein; and

**WHEREAS**, the Property consists of underutilized, unimproved property that produces tax revenue as vacant land only; and

**WHEREAS**, the Developer's development of the Project on the Property will be beneficial to the City because it will provide for the creation of needed housing, parking, supportive retail and other amenities in the East Side area of the City; and



**WHEREAS**, the Developer has agreed and committed to develop the Project on the Property in accordance with the LDA at an approximate total Project cost of One Hundred Million (\$100,000,000.00) Dollars inclusive of all hard and soft costs; and

**WHEREAS**, the Developer will construct the Project, which would ordinarily be subject to full real property taxation ("**Taxes**"); and

**WHEREAS**, the Developer has applied to the City for a tax incentive development agreement (the "**Tax Incentive Agreement**") pursuant to the provisions of the City's Tax Incentive Development Ordinance, Chapter 3.20 of the Bridgeport Municipal Code of Ordinances, as amended on November 4, 2013, October 16, 2017, and April 20, 2020 (the "**Tax Incentive Ordinance**"), which ordinance is in conformity with Connecticut General Statutes; and

**WHEREAS**, the Office of Planning and Economic Development ("**OPED**") has determined, pursuant to the requirements of the Tax Incentive Ordinance, that the projected level of future Taxes on the Property and the Project under normal assessment and levy practices would make the proposed Project economically unfeasible; and

**WHEREAS**, the Developer has emphasized its willingness and has proven its capability to undertake the Project, conditioned upon the execution of an appropriately structured Tax Incentive Agreement with the City; and

**WHEREAS**, OPED has reviewed the Developer's application for a Tax Incentive Agreement pursuant to the Tax Incentive Ordinance and has determined that the Project meets all of the requirements and economic tests of the Tax Incentive Ordinance; and

**WHEREAS**, the parties agree that the Property and the Project meet the definition of "development property" as defined in Section 7-482 Connecticut General Statutes and the parties intend for the Property to be exempt, in whole or in part as described herein, from Taxes pursuant to Connecticut General Statutes Section 7-498 in order to ensure that the Project is economically feasible; and

**WHEREAS**, the Developer and the City have negotiated and wish to enter into this Agreement, which provides for the payment of Taxes only on the assessed land value of the Property through the tax payment due January 1, 2025, to allow a two-year period to construct the Project and an additional one-year period to identify tenants and lease-up units in the Project (collectively, the "**Construction/Lease-Up Period**"), and thereafter,

based upon the issuance of a certificate of occupancy for the Project prior to the expiration of the Construction/Lease-Up Period, to allow Taxes at their then-current level to be partially abated in accordance with this Tax Incentive Agreement and then to be annually increased during the period starting from the expiration of the Construction/Lease-Up Period and continuing in accordance with the Tax Schedule (defined below) for a total period of nine (9) years after the Construction/Lease-Up Period (the "Term"); and

**WHEREAS**, the scheduled Tax Incentive Payments (defined below) shall at all times during and following each successive Grand List Year during the Term constitute a valid and legally binding lien on the Project, with full priority in accordance with applicable Connecticut law as set forth in Connecticut General Statutes Section 12-172; and

**WHEREAS**, the schedule of Taxes set forth in the Tax Schedule (defined below) applicable to the Property shall be imposed irrespective of future assessments, Grand Lists, mill rates, tax billing procedures, and the like otherwise applicable to the real property taxation of other property in the City of Bridgeport during the Term; and

**WHEREAS**, this Tax Incentive Agreement shall have no effect upon the imposition of personal property taxes applicable to the Project, which shall be imposed in the ordinary course of business completely separate and apart from this Tax Incentive Agreement.

[NOTE: Capitalized terms not otherwise defined herein, shall have the meanings ascribed to them in the Tax Incentive Ordinance or in the Connecticut General Statutes cited herein.]

**NOW, THEREFORE**, the City and the Developer agree as follows:

The above recitals are incorporated by reference into the body of this Agreement with full legal effect as if fully set forth herein.

1. **Tax Incentive Payments; Commencement Dates; Installments.** The Developer and the City hereby enter into this Tax Incentive Agreement for the Property permitting the establishment of Taxes during the Term, as follows:

(a) Taxes During the Construction/Lease-Up Period. Annual taxes (of \$23,900) shall be due as per the current deduced assessed land value of the Property and as per the current mill rate during the Construction/Lease-Up Period.

(b) Taxes During the Balance of the Term. If the Developer has met its obligations under subparagraph (a) above, Taxes due on the Property during the balance of the Term following the expiration of the Construction/Lease-Up Period shall be due and payable in semi-annual installments in accordance with the semi-annual payment schedule set forth in **Exhibit A** attached hereto and made a part hereof (the "**Tax Schedule**") and described generally as follows:

(i) Year 4 (payments due July 1, 2025 and January 1, 2026): Taxes due on the Property are stabilized at the rate of \$1,260,000.00 per year;

(ii) Years 5 through 10 (payments due beginning July 1, 2026 and ending January 1, 2034) with an annual increase of 2.0% compounded annually through the end of the Term as set forth in the Tax Schedule which would yield \$1,476,291 per annum in Year 10.

The Taxes due pursuant to paragraphs (a) and (b) above shall collectively be referred to as "**Tax Incentive Payments**" and each a "**Tax Incentive Payment**" during the Term, such Tax Incentive Payments being in lieu of all otherwise applicable real estate taxes on the Project.

2. **Priority of Tax Incentive Payment Obligations.** The Tax Incentive Payments shall be applicable only as defined herein, shall be due and payable in installments described on Exhibit A (each an "**Installment**"), and shall be subject to the City's right to enjoy and exercise all of the rights and privileges relating to such Installments including lien priority as are set forth in Connecticut General Statutes, Section 12-172. It is a condition of this Tax Incentive Agreement that the Developer shall pay in a timely manner all Installments that become due on the Property hereunder.

3. **Late Payment of Installments; Interest.** Upon commencement of the first Installment due, if any Installment is paid more than thirty (30) days after it became due such event shall be deemed a payment delinquency (each occurrence, a "**Delinquency**"), said Installment Delinquency shall bear interest at the statutory rate then in effect, currently 18% per annum, until paid without any notice or demand being required.

4. **Defaults; Remedies.** A default ("**Default**") shall exist hereunder if any of the following occur (each an "**Event of Default**"): If the Developer shall have: (a)

committed a Delinquency in connection with three (3) Installments, regardless of whether the Developer subsequently pays such Installment with interest; (b) allowed a Delinquency to exist in excess of 90 days, regardless of whether the Developer subsequently paid such Installment with interest; (c) violated any other material obligations on its part to be performed hereunder; or (d) failed to obtain a certificate of occupancy for the Project as required by the LDA prior to the expiration of the Construction Period, and such Event of Default shall have continued beyond any applicable cure period provided herein. Upon the occurrence of an Event of Default under subsection (c) or subsection (d) of this paragraph, the City shall give the Developer thirty (30) days' notice to cure such Event of Default. There shall be no cure period for an Event of Default due to non-payment or late payment of Taxes under subsection (a) or subsection (b) above. Upon the occurrence of an Event of Default that is not cured after the passage of any cure period granted hereunder, the City shall have the right (i) to terminate this Tax Incentive Agreement upon the giving of thirty (30) days' written notice, (ii) to record a notice in the Bridgeport land records terminating this Tax Incentive Agreement as of the date that termination takes effect, (iii) to collect all unpaid Installments together with default interest due up to the date of termination, and (iv) to reinstate the Taxes that would otherwise be due on the Property and the Project in the absence of this Tax Incentive Agreement, including the right to charge the costs and expenses of collection and reasonable attorneys' fees against the Developer whether or not litigation is commenced. Termination of this Tax Incentive Agreement shall not invalidate, increase, or otherwise impact the effect of previous payment of Installments made timely in accordance with the Tax Schedule. The Property and Project shall be listed as Development Property as defined in Section 7-482 Connecticut General Statutes on the City of Bridgeport Tax Assessor's records, and shall be subject to the provisions of Chapter 205 Municipal Tax Liens, of the Sections 12-171 to 12-195g Connecticut General Statutes.

5. **No Waiver.** Any forbearance or delay by the City in enforcing this Tax Incentive Agreement or in exercising any right or remedy hereunder at law or in equity shall not constitute a waiver of, nor shall it preclude the City from exercising, any such right or the pursuit of any of its remedies in the future.

6. **WPCA Fees.** This Tax Incentive Agreement and the Taxes to be paid pursuant to Exhibit A are separate and distinct from any Water Pollution Control Authority charges that the Developer may be obligated to pay with respect to the Property and the Project.

7. **Commencement of Construction; Developer Investment.** The Developer agrees to commence construction of the Project and agrees to invest approximately One Hundred Million (\$100,000,000.00) Dollars in construction costs including all hard and soft costs related to the Project.

8. **Completion of the Project.** As a condition to this Tax Incentive Agreement, the Developer agrees to expeditiously commence and complete using best efforts with due diligence all work necessary to complete the Project as required by the LDA, such completion being evidenced by the issuance of a certificate of occupancy prior to the expiration of the Construction/Lease-Up Period, and by observing all the terms and conditions of this Tax Incentive Agreement and all applicable federal, state and local laws and regulations throughout the Term.

9. **Binding Effect; Actions of Developer and City.** This Tax Incentive Agreement shall be binding upon the City and the Developer, and their respective successors and permitted assigns. The Developer shall record an executed copy of this Tax Incentive Agreement in the Bridgeport Land Records in order to be effective and shall promptly provide evidence of its recording to the City. The City and the Developer shall be responsible for communicating with the Tax Assessor and the Tax Collector to ensure that the Tax Assessor and the Tax Collector aware of the terms of this Tax Incentive Agreement.

10. **Amendments.** This Tax Incentive Agreement may only be modified or amended by a written agreement duly-executed by all the parties hereto and recorded in the Bridgeport Town Clerk's Office.

11. **Notices.** All notices required or desired hereunder shall be in writing and shall be delivered by certified mail, return receipt requested, postage prepaid, deposited in a repository of the United States Postal Service or by a recognized overnight courier service addressed to the receiving party at its address specified below:

All notices to the City:      Director  
   Office of Planning and Economic Development  
   Margaret E. Morton Government Center  
   999 Broad Street, 2<sup>nd</sup> Floor  
   Bridgeport, CT 06604



with a copy to:

City Attorney  
Office of the City Attorney  
Margaret E. Morton Government Center  
999 Broad Street, 2<sup>nd</sup> Floor  
Bridgeport, CT 06604

All notices to Developer: SP Residential 1, LLC  
c/o Bridgeport Landing Development  
10 East Main Street, Suite 201  
Bridgeport, CT 06608

with a copy to:

Suzanne Amaducci-Adams, Esq., Partner  
Bilzin Sumberg Baena Price & Axelrod LLP  
1450 Brickell Avenue, 23<sup>rd</sup> Floor  
Miami, Florida 33131

12. **Payment Procedure.** The Developer shall make all Installments payable to the Tax Collector, Bridgeport City Hall, 45 Lyon Terrace, Bridgeport, CT 06604, and shall submit each Installment with a notation to the Tax Collector that said payment is being made in accordance with the "**Steel Point Residential Tax Incentive Agreement**". The Developer will receive tax bills on a regular basis based upon the Property's assessed value, however, in order to take advantage of the rights and privileges offered by this Tax Incentive Agreement, the Developer must strictly comply with the payment procedure described above.

13. **Applicable Law; Resolution of Disputes.** This Tax Incentive Agreement shall be governed by and construed according to the laws of the State of Connecticut without reference to the principles thereof respecting conflicts of laws. The parties agree to the exclusive jurisdiction of the courts located in Fairfield County, Connecticut for the resolution of all disputes that may arise hereunder.

14. **Entire Agreement.** This Tax Incentive Agreement contains the entire agreement of the parties hereto with respect to the subject matter hereof, and any prior or contemporaneous oral or written agreements are hereby merged herein.

15. **Transfers.** This Tax Incentive Agreement is transferable upon the sale of the Property or the sale or transfer of a controlling interest in the Developer (collectively, "**Transfer of Control**") under certain conditions set forth in the Tax Incentive Ordinance, as follows:

(a) Prior to a Transfer of Control, the then-current owner of the Property, including those who acquire a controlling interest in the then-current owner of the Property (each, a "**Transferee**"), shall be required to give written notice to the City of the intent to make a Transfer of Control including a transfer of all of the original applicant's obligations under the Tax Incentive Development Agreement ("**Obligations**");

(b) Each Transferee shall demonstrate its ability to carry out the Obligations; and

(c) Each Transferee shall execute an assignment and assumption agreement of the Obligations with OPED, which document the Transferee shall record on the Bridgeport Land Records in order for such Transfer of Control to be effective as to this Tax Incentive Agreement.

Except as otherwise specifically provided herein, a Transfer of Control without the City's prior written consent shall constitute an Event of Default under this Tax Incentive Agreement on and as of the date of such transfer and shall constitute a termination of the Tax Incentive Agreement. Notwithstanding anything to the contrary stated herein, a Transfer of Control to an affiliate of the applicant, meaning an entity that controls or is controlled by the Developer (each, an "**Affiliate**"), for the Tax Incentive Agreement or an Affiliate of any subsequent Transferee approved by the City shall not constitute a Default under this Agreement. Further, any grant of a security interest in the Property or the Developer's rights and/or this Agreement to an affiliate or an institutional lender shall not constitute a "Transfer of Control" for purposes of this Agreement and no such grant shall require the City's consent, or constitute a Default under this Agreement.



16. **No Discrimination.** Neither the Developer nor its successors and permitted assigns shall discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religion, creed, age, marital status, national origin, sex, sexual orientation, veteran's status, mental retardation or physical disability, in the sale, lease, rental, use or occupancy of the Property or any improvements to be erected thereon, or in its employment or contracting practices, shall not effect or execute any agreement, lease, conveyance, or other instrument having a discriminatory intention or effect, and shall comply with all federal, state and local laws prohibiting discrimination.

17. **MBE Compliance.** The Tax Incentive Ordinance establishes requirements for the Developer's employment of minority contractors in connection with the Project. The City has established a Minority Business Enterprise Program Ordinance, Chapter 3.12.130 of the Code of Ordinances, attached hereto and made a part hereof as **Exhibit B** (the "**MBE Ordinance**"). The Developer's compliance with the MBE Ordinance shall be deemed to be compliance with the MBE hiring requirements of the Tax Incentive Ordinance. The City's Office of Small & Minority Business Enterprise will administer the Developer's compliance with the MBE Ordinance. The City shall apply and the Developer shall observe the MBE Ordinance in the following manner for construction contracts for the Project:

(a) All capitalized terms not otherwise defined in this paragraph 17 shall have the meanings ascribed to them in the MBE Ordinance.

(b) The City's mandatory requirement for construction contracts is established at six percent (6.0%) of the value of each construction contract ("**Mandatory Requirement**") for African-American subcontractors.

(c) The City's attainable goal for all construction contracts is established at an additional nine percent (9.0%) for MBE subcontractors (15% total when combined with the Mandatory Requirement) (collectively, the "**Attainable MBE Goal**").

(d) The City's attainable goal for the Project is established at fifteen percent (15.0%) for WBE subcontractors ("**Attainable WBE Goal**"). The Developer will publish all bids on the City's electronic bidding website, [www.bidsync.com](http://www.bidsync.com).

(e) The Developer will place an advertisement in the Connecticut Post newspaper seeking an "open house" for MBE contractors.

(f) The Developer will cooperate and communicate with the City's MBE Administrator (defined below) so that minority trade organizations and media outlets are aware of the subcontracting opportunities available to MBE subcontractors.

(g) The Developer will coordinate its bidding activities with Mr. Fred Gee, Senior Program Administrator, in the City's Office of Small & Minority Business Enterprise, 999 Broad Street, 2nd Floor ("**MBE Administrator**").

(h) The Developer shall require every prime contractor to name its MBE subcontractors and the value of the contract to be awarded to each at the time that the prime contractor submits its bid. No substitutions of an MBE subcontractor shall thereafter be made without notice to the City, a demonstration of good cause shown, and receipt of the City's written consent.

(i) The MBE Administrator will make all clarifications and determinations concerning compliance with the MBE Ordinance, and the Developer may appeal such clarifications and determinations to the City's Chief Administrative Officer.

(j) In all other respects, the Developer shall adhere to the principles and practices of the MBE Ordinance and the Official Policies adopted by the City with respect to the administration thereof.

18. **Local Resident Hiring Efforts.** The Bridgeport City Council adopted City Ordinance Ch. 3.29 – Employment Opportunities with Developers Fostering Economic Development (Item 136-17) on September 18, 2018, a copy of which is attached hereto and made a part hereof as **Exhibit C**, which requires that the Developer agrees to pursue the following goals for the employment of Bridgeport residents in connection with the construction of the Project, as follows:

(a) The Developer agrees and warrants that during the development of this Project pursuant to the terms of this Agreement, that first consideration of any additional employment of tradesmen/tradeswomen and/or any apprentices to be working on this Project will be given to qualified applicants who are residents of

the City and/or who are ex-felons of any category to the maximum greatest extent that any increase in workforce or apprenticeships as a result of this Project meets the minimum requirements of twenty (20%) percent local resident hires and five (5%) percent ex-felon hires. The hiring or apprenticeship of an individual who is both a local resident and an ex-felon shall only count as either of one such hire. The Developer warrants and represents that it will not replace any of its current workforce as a result of this requirement.

(b) The Developer shall include the language set forth above in section (a) in every trades subcontract to the Project. The Developer shall post in conspicuous places, available to employees and applicants for employment, notices encouraging local residents and ex-felons to apply. The Developer will send to each labor union or other representative with which it has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the labor union or workers' representative of the Developer's commitments under this section and shall post copies of such notice in conspicuous places available to employees and applicants for employment.

(c) The Developer will provide the City's Office of Contract Compliance established under Municipal Code Sec. 3.12.130 with such information requested by said office concerning the employment pattern, practices and procedures of the Developer as they relate to the provisions of subsections (a) and (b) of this section and any rules and regulations and/or orders issued pursuant thereto.

(d) Prior to seeking a building permit for the Project, Developer shall meet with the City's Office of Contract Compliance with paperwork sufficient to establish Developer's satisfaction of this requirement or documentation sufficient to the said office for said office to issue a waiver of this requirement for good cause shown.

19. **Excusable Delay.** The parties hereto, respectively, shall not be in default of their respective obligations under this Tax Incentive Agreement if either is unable to fulfill, or is delayed in fulfilling, any of its obligations hereunder, or is prevented or delayed from fulfilling its obligations, in spite of its employment of best efforts and due diligence, as a result of natural disasters, catastrophic events, casualties to persons or properties, war, governmental preemption in a national emergency, enactment of a law, rule or regulation or a change in existing laws, rules or regulations that prevents any party's

ability to perform its respective obligations hereunder, or actions by other persons beyond the exclusive control of the party claiming hindrance or delay. If a party believes that a hindrance or delay has occurred, it shall give prompt written notice to the other party of the nature of such hindrance or delay, its effect upon such party's performance under this Tax Incentive Agreement, the action needed to avoid the continuation of such hindrance or delay, and the adverse effects that such hindrance or delay then has or may have in the future on such party's performance. Notwithstanding notification of a claim of hindrance or delay by one party, such request shall not affect, impair or excuse the other party hereto from the performance of its obligations hereunder unless its performance is impossible, impractical or unduly burdensome or expensive, or cannot effectively be accomplished without the cooperation of the party claiming delay or hindrance. The occurrence of such a hindrance or delay may constitute a change in the obligations of the parties and may result in the need to modify the agreement accordingly.

20. **Cessation of Operations.** Upon the Developer's ceasing construction of the Project for a period of six (6) months or longer or commercial operation of any Project component for six (6) months or longer, the City shall give notice to the Developer and if the Developer does not sufficiently explain and verify, with applicable documentation within thirty (30) days after delivery of such notice, why it has stopped development of the Project or why it has ceased commercial operation as determined by the City in the exercise of its commercial business judgment, this Tax Incentive Agreement shall come to an end at the end of such 30-day period ("**Termination Date**"), whereupon the parties shall have no further obligations to one another except for those obligations specifically stated to survive early termination.

NEXT PAGE IS THE SIGNATURE PAGE

IN WITNESS THEREOF, the parties have executed this agreement this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

In the presence of:

**CITY OF BRIDGEPORT**

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Thomas F. Gill, Director, OPED  
duly-authorized

STATE OF CONNECTICUT)

) ss. Bridgeport \_\_\_\_\_, 202\_\_

COUNTY OF FAIRFIELD )

Before me personally appeared Thomas F. Gill, the Director, Office of Planning and Economic Development of The City of Bridgeport, signer and sealer of the foregoing instrument, and acknowledged the same to be his free act and deed in such capacity and the free act and deed of the City of Bridgeport before me.

\_\_\_\_\_  
Commissioner of the Superior Court  
Notary Public  
My Commission Expires:

In presence of:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ **LLC**

By: \_\_\_\_\_

Name:

Its Member, duly-authorized

**SCHEDULE A**

**LEGAL DESCRIPTION OF DEVELOPMENT PROPERTY**



EXHIBIT A

Tax Schedule

EXHIBIT A

Tax Payment Schedule

Installments

<u>Construction Period Tax Abatement</u>	<u>Amount</u>	<u>Payment Date</u>
First Installment (land only)	\$11,950	July 1, 2022
Second Installment (land only)	\$11,950	Jan 1, 2023
Third Installment (land only)	\$11,950	July 1, 2023
Fourth Installment (land only)	\$11,950	Jan 1, 2024
<u>Lease-Up Period Tax Abatement</u>		
First Installment (land only)	\$11,950	July 1, 2024
Second Installment (land only)	\$11,950	Jan 1, 2025
<u>Operating Period Tax Abatement</u>		
First Installment	\$630,000.00	July 1, 2025
Second Installment	\$630,000.00	Jan 1, 2026
Third Installment	\$642,600.00	July 1, 2026
Fourth Installment	\$642,600.00	Jan 1, 2027
Fifth Installment	\$655,452.00	July 1, 2027
Sixth Installment	\$655,452.00	Jan 1, 2028
Seventh Installment	\$668,561.04	July 1, 2028
Eighth Installment	\$668,561.04	Jan 1, 2029
Ninth Installment	\$681,932.26	July 1, 2029
Tenth Installment	\$681,932.26	Jan 1, 2030

Eleventh Installment	\$695,570.91	July 1, 2030
Twelfth Installment	\$695,570.91	Jan 1, 2031
Thirteenth Installment	\$709,482.32	July 1, 2031
Fourteenth Installment	\$709,482.32	Jan 1, 2032
Fifteenth Installment	\$723,671.97	July 1, 2032
Sixteenth Installment	\$723,671.97	Jan 1, 2033
Seventeenth Installment	\$738,145.41	July 1, 2033
Eighteenth Installment	\$738,145.41	Jan 1, 2034

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Exhibit B

**3.12.130 - Minority business enterprise program.**

A.

Purpose. The purpose of this chapter is to:

1.

Recognize the findings of the Disparity Study conducted at the city's request and implementation investigations and failures of prior remedies;

2.

Implement a race and gender-conscious program to correct historic discrimination in contracting for those groups identified in the Disparity Study;

3.

Create a program to benefit minority and City-based businesses; and

4.

Take steps to reduce or eliminate aspects of the city's bidding and contracting processes that pose the greatest difficulties for minority businesses and City-based businesses and hinder their participation, prosperity and growth, and competition for city work.

B.

Definitions. All capitalized terms not defined in this chapter shall have the meanings assigned to them in Section 3.08.070, Purchasing procedure, unless the context otherwise requires.

"African American" means a Black American, including all persons having origins in any of the Black African racial groups not of Hispanic origin.

"American Indian" means a person having origins in any of the original peoples of North America and maintaining identifiable tribal affiliations through membership and participation or community identification.

"Asian American" means an Asian American, including all persons having origins in any of the countries of the Asian continent, Southeast Asia, an Asian Pacific American and a Pacific islander.

"Business" means a business defined under "company."

"Certified" means an MBE, or WBE contractor whose status as a member of a particular minority group classification has been established, certified or accepted for participation as a minority by: (a) any state of Connecticut agency or quasi-governmental agency, (b) any other state governmental or quasi-governmental agency in another state, and (c) any governmental or quasi-governmental agency of any city, town, county or municipality in Connecticut or any other state (for Minority status) and by (d) the city's Small and Minority Resource Center (for City-based business status), and which certified contractor otherwise possesses the experience, skills and resources to satisfy a city contract and/or contract category.

"City-based business" means a responsive and responsible vendor with its Principal Place of Business located within the municipal boundaries of the City of Bridgeport.

"City contract" for purposes of this chapter means any contract, purchase order, bid, quote or selection process involving work in the nature of construction (including new construction, rehabilitation, demolition and sitework), architecture and engineering, professional services, nonprofessional services, or goods.

"Company" means a business enterprise, including a corporation, partnership, joint venture, limited liability company, limited liability partnership or sole proprietorship.

"Compliance committee" means a committee established by the administrator to oversee the implementation of this chapter, compliance with its provisions, investigations relating to this chapter interpretations of its meaning and application, hearing and resolution of protests and complaints, and implementation of remedies and penalties, consisting of the named or his/her designee: The Mayor, the Chief Administrative Officer ("administrator"), the City Attorney, the Director of Purchasing, the Director of the Small and Minority Resource Center, the Contract Compliance Officer, President of the Board of Directors of the Hispanic Chamber of Commerce of Greater Bridgeport, Inc., the head of the Southern Connecticut Black Chamber of Commerce, Inc., and a Community Representative appointed by the Mayor.

"Compliance reports" means those reports identified in this chapter prepared by the person or department designated or otherwise prepared at the request of the administrator or his designee, including any city consultant engaged for such purpose, to track all phases of the program established by this chapter, including utilization of minority contractors and Bridgeport businesses, compliance by bidders and various participants in the implementation of or compliance with the program, outreach efforts, protests and complaints received and determined, enforcement actions taken, liquidated damages assessed, debarments and disciplinary actions recommended, and such other reports as the administrator may deem necessary or desirable.

"Contracting category" means contracts for construction, contracts for architecture and engineering, contracts for professional and nonprofessional services, and goods.

"Due diligence criteria" for purposes of this chapter, means a fair and unbiased method by which a contracting officer obtains informal quotes when permitted by Section 3.08.070 from companies, including MBEs, WBEs and City based businesses, such that bias, prejudice and discretionary practices by a contracting officer are minimized and city contracts are awarded in compliance with the requirements of this chapter.

"Evaluation credits" means, in a qualifications-based selection process, the assignment of ten additional points to applicable target groups when evaluating their qualifications and/or their proposals, based upon a uniform one hundred (100) point scoring system described in this chapter in order to arrive at a short-list of proposers so that target groups are not placed at a competitive disadvantage when competing with non-target groups.

"Formal" contracts means those city contracts that exceed twenty-five thousand dollars (\$25,000.00) and are required to be publicly advertised under Section 3.08.070.

"Good faith efforts" means a prime contractor's obligations to reach out through various means and methods described in this chapter to minority contractors to participate as subcontractors in connection with the prime contractor's intention to bid for a city contract, as more particularly described in subsection (G)(5) of this section.

"Hispanic American" means a Hispanic American, including all persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

"Informal" contracts means those city contracts equal to or less than twenty-five thousand dollars (\$25,000.00) that are not required to be publicly advertised under Section 3.08.070 of this title.

"Jobs funnel" means a community effort to provide opportunities for Bridgeport residents to receive life-skills training, job training, and job placement with building trades and companies doing business with the city or in the city of Bridgeport.

"Liquidated damages" means monetary penalties that can be assessed against a prime contractor for violation of the requirements of this chapter, as more particularly described in subsection (H)(3) of this section.

"Minority business enterprise," "minority contractor" or "MBE" has the same meaning as set forth in C.G.S. Sec. 4a-60(g)(a)(4), as may be amended from time to time, excluding therefrom the disabled and any requirement that such be a small contractor as defined therein.

"Outreach and marketing program" means a city program operated by the administrator, or his designee, including any city consultant engaged for that purpose, to attract and promote the inclusion of new and existing minority and City-based businesses into the city bidding and contracting process, including soliciting businesses to bid for city contracts and become city

contractors, advertising contracting opportunities especially in media outlets sensitive to minority interests, hosting open houses, registration and networking events, arranging training opportunities, facilitating partnering with companies, and identifying agencies and for-profit and not-for-profit organizations interested in fostering the capacity and effectiveness of minority businesses, and the like.

"Prime contractor" means a responsive and responsible nonminority contractor that seeks or obtains a city contract.

"Principal Place of Business" means the location where the thought processes of the business, the books and records of the business, and where top management of the business reside as their prime office location.

"Program administrator" or "administrator" means the city's chief administrative officer or his/her designee.

"Prompt payment directive" means the city's commitment to a prompt payment process developed by the administrator, director of finance and the director of information technology for: (a) all prime contractors employing minority contractors as subcontractors, and (b) all minority contractors to ensure that the city pays complete invoices in a maximum of thirty (30) days if to a prime contractor and a maximum of fifteen (15) days if to a minority contractor, except for any portions of such invoices about which there exists a legitimate dispute.

"Self-perform" means that with regard to a Minority contractor that it is a contractor, whether a prime contractor or a subcontractor, that performs at least forty (40%) percent of the value of its work (exclusive of materials and equipment) using its own forces and resources as determined by monthly payrolls; "self-perform" means that with regard to a Majority contractor that it is not a certified MBE, WBE or city based business contractor, whether a prime contractor or a subcontractor, which performs in excess of ninety (90%) percent of the value of its work (exclusive of materials and equipment) using its own forces and resources as determined by monthly payrolls.

"Subcontractor substitution" means a prime contractor's request to substitute or replace a minority contractor listed or identified prior to the time of award and upon which the award was made, which can only be accomplished with the administrator's, or his designee's, including a city consultant engaged for that purpose, or the Compliance committee's prior written consent after written notice from the prime contractor to the administrator, with a copy to the subcontractor, both the prime contractor and the subcontractor having a right to be heard, and such a substitution must be based on good cause shown in accordance with a process established by the administrator or the Compliance committee.

"Target groups" means those racial or gender groups identified in the Disparity Study that experienced historic discrimination in city contracting to such a degree that this chapter provides



race and gender-conscious remedies such as set-asides, percentage attainable goals, evaluation credits or other preferences.

"Voluntary programs" means those program activities described in this chapter and other activities implemented in the future by the administrator or his designee, including any city consultant engaged for that purpose, that are designed to encourage and develop minority contractors and City-based businesses, provided that such activities are legally permissible without the need to establish historic discrimination and are essentially neutral as to all types of small business enterprises, including but not limited to the adoption of project labor agreements, the creation of a jobs funnel, etc.

"Waiver" means the request for relief from a requirement of this chapter, satisfactory to the program administrator or the Compliance committee, that the prime contractor's good faith efforts to identify a minority contractor or a target group, as required by this chapter, did not result in meeting at least fifty (50) percent of the requirements or goals of this chapter in spite of the prime contractor's good faith efforts to achieve compliance.

"Women business enterprise" or "WBE" means a responsive and responsible women-owned business enterprise contractor who is not a member of a racial minority group.

C.

#### Guiding Principles.

1.

It is important to implement the principles and goals of this chapter in a way that encourages the participation of MBE, WBE and City based business contractors in the city contracting process while at the same time being fair and avoiding unreasonable burdens on other contractors that are not members of such groups.

2.

It is important to implementation and compliance that participants in the city contracting process, whether prime contractors, subcontractors, MBEs, WBEs, or City based businesses, and city officials, employees and agents, be discouraged in various ways and penalized for noncompliance, efforts to avoid or subvert, or assist others in such efforts, or to appear to be in compliance with the important principles and goals of this chapter by the use of strategies, devices, ploys and other improper means.

3.

It is important in the implementation and compliance process to understand that this chapter serves as an important tool in the revitalization of the city's economy, including the encouragement, development and success of Bridgeport companies and the employment of Bridgeport residents.

4.

A prime contractor who is a certified MBE, MWBE, or WBE and meets the other requirements of this chapter, such as the obligation to Minority self-perform, is, by definition, in compliance with the principles and goals of this chapter.

D.

Establishment of Race, Local, and Gender-Conscious Remedies.

1.

Formal Prime Contract Remedies.

a.

Competitive Bids. An attainable goal of thirty (30) percent of the aggregate dollar value of each formal city contract (goal of fifteen (15) percent of the contract value to MBEs and goal of fifteen (15) percent to WBEs).

b.

Qualifications-Based Selections. An attainable goal of thirty (30) percent of the aggregate dollar value of a city contract is established for prime contractor utilization of certain target groups during QBS processes. For purposes of this subsection, the target groups that should receive evaluation credits are:

i.

City contracts for construction professionals: African Americans, Hispanic Americans, minority female, and Caucasian female business enterprises.

ii.

City contracts for architecture and engineering professionals: Asian Americans, Hispanic Americans, and Caucasian females.

iii.

City contracts for other professional services: Asian Americans, Hispanic Americans, minority female, and Caucasian female business enterprises.

iv.

City contracts for goods and nonprofessional services: African Americans, minority female, and Caucasian female business enterprises.

2.

Informal Prime Contract Remedies.

a

An attainable goal of thirty (30) percent of the aggregate dollar value of each informal city contract (goal of fifteen (15) percent of the contract value to MBEs and goal of fifteen (15) percent to WBEs).

b.

Since informal city contracts awarded to prime contractors are not usually publicly advertised and tend to be awarded by individual contracting officers after informal quotes are obtained, some businesses do not participate sufficiently in city contracts to the extent that they can build experience, become better equipped to provide goods and services to the city, and circulate procurement dollars within the city's tax base. The administrator and the director of purchasing shall implement due diligence criteria for contracting officers and standardize the process for identifying, documenting and selecting target groups for the award of informal city contracts to minimize discretionary or prohibited practices. At least one informal quote must be from a firm listed as a City-based business in the City's Minority and Small Resource Center, or in the alternative, a waiver is obtained from the City's Minority and Small Resource Center.

For purposes of this subsection, the target groups are:

i.

City contracts for construction: African Americans, and Hispanic Americans

ii.

City contracts for architecture and engineering services: Hispanic Americans, minority female, and Caucasian female business enterprises.

iii.

City contracts for professional services: African Americans, Asian Americans, Hispanic Americans, minority female, and Caucasian female business enterprises.

iv.

City contracts for goods and nonprofessional services: African Americans, minority female, and Caucasian female business enterprises.

3.

Disparity in Construction Subcontracting Remedy.

a.

In addition to the attainable goal of thirty (30) percent of the aggregate dollar value for formal city contracts and the attainable goal of thirty (30) percent for informal city contracts, a mandatory requirement of six (6) percent of the aggregate dollar value of formal and informal construction

subcontracts is established for prime contractor utilization of certified African American businesses who will Minority self-perform under the resulting contract and meet the other requirements of the bid. African-American businesses constitute the target group for purposes of this subsection.

b.

The administrator or his designee, including any city consultant engaged for this purpose, and the director of purchasing will create a registration system that will collect business information, construction trade classification, size, capacity and other characteristics for African American contractors. City contracts for construction subcontracting reserved for African American contractors shall be based on such registry and shall be revised on an annual basis to accommodate the registration of new African American contractors in the construction trades.

c.

The inability of a prime contractor to meet the mandatory six (6%) percent African American requirement of this subsection may be permitted only upon the administrator's grant of a waiver for good cause shown in accordance with this chapter or because it has established that it is a Majority self-performing contractor to the satisfaction of the Director of the Minority and Small Resource Center. If a waiver is not granted or the contractor will not Majority self-perform, all or portions of the work shall be re-bid if feasible and practical or the administrator shall assign work in a fair and unbiased manner to contractors previously identified and participating in the program created by this chapter who are certified, Minority self-performs and meet the other requirements of the bid

E.

#### Local and Minority Preference for Competitive Bids

1.

When Businesses That Are Both Minority And City-Based Fall Within the Allotted Percentages. For businesses that are both a Certified minority and a Certified City-based business, provided that the response to a competitive bid contains, at the time of submission, supporting documentation satisfactory to the purchasing agent, the following shall apply:

(a)

For purchases in which the lowest bid amount is one hundred thousand dollars (\$100,000.00) or less, the lowest responsive, responsible minority, City-based business that submitted a bid within ten percent (10.0%) of the lowest responsive, responsible bid shall be offered the award to the contract, provided such business agrees to accept the contract at the lowest bid amount

(b)

For purchases in which the lowest bid amount is more than one hundred thousand dollars (\$100,000.00) but does not exceed two hundred and fifty thousand dollars (\$250,000.00), the lowest

responsive, responsible minority, City-based business that submitted a bid within seven and one-half percent (7.5%) of the lowest responsive, responsible bid shall be offered to award to the contract, provided such business agrees to accept the contract at the lowest bid amount

(c)

For purchases in which the lowest bid amount is more than two hundred and fifty thousand dollars (\$250,000.00) but does not exceed five hundred thousand dollars (\$500,000.00), the lowest responsive, responsible minority, City-based business that submitted a bid within five (5.0%) of the lowest responsive, responsible bid shall be offered to award to the contract, provided such business agrees to accept the contract at lowest bid amount

(d)

In the event that more than one business meets the criteria of both a minority and City-based business and their bids falls within the allotted percentage, first preference will be given to such business whose bid price was closest to the lowest bid price. If the first of such qualifying businesses chooses not to accept the award of the bid at the lowest bid amount, then the option shall go to the qualifying business within the applicable percentages with the next closest bid to the lowest bid price.

2.

When No Bidders That Fall Within The Allotted Percentages Are Both Minority and City-Based Businesses, But Are One Or The Other. If no businesses meet the criteria for both a Certified minority and a Certified City-based business, or such a qualifying business chooses not to accept the award of the bid at the lowest bid amount, the following shall apply to businesses that are either a Certified minority or a Certified City-based business provided that the response to the competitive bid contains, at the time of submission, supporting documentation satisfactory to the purchasing agent set forth in the definition for a minority or a city based business:

(a)

For purchases in which the lowest bid amount is one hundred thousand dollars (\$100,000.00) or less, the lowest responsive, responsible minority or city based business that submitted a bid within ten percent (10.0%) of the lowest responsive, responsible bid shall be offered the award to the contract, provided such business agrees to accept the contract at the lowest bid amount.

(b)

For purchases in which the lowest bid amount is more than one hundred thousand dollars (\$100,000.00) but does not exceed two hundred and fifty thousand dollars (\$250,000.00), the lowest responsive, responsible minority or city based business that submitted a bid within seven and one-half percent (7.5%) of the lowest responsive, responsible bid shall be offered the award to the contract, provided such business agrees to accept the contract at the lowest bid amount.

(c)

For purchases in which the lowest bid amount is more than two hundred and fifty thousand dollars (\$250,000.00) but does not exceed five hundred thousand dollars (\$500,000.00), the lowest responsive, responsible minority or city based business that submitted a bid within five percent (5.0%) of the lowest responsive, responsible bid shall be offered the award to the contract, provided such business agrees to accept the contract at lowest bid amount.

(d)

In the event that more than one business meets the criteria of either a minority or a based business, first preference will be given to such business whose bid price was closest to the lowest bid price. If the first of such qualifying businesses chooses not to accept the award of the bid at the lowest bid amount, then the option shall go to the qualifying business within the applicable percentages with the next closest bid to the lowest bid price.

3.

When No Bidders That Fall Within The Allotted Percentages are either Minority or City Based. If no businesses meet the criteria for either a Certified minority or a Certified City-based business, or such a business chooses not to accept the award of the bid at the lowest bid amount, the award shall go to the lowest responsive, responsible bidder.

4.

Uniform Scoring System for QBS Processes. In the event an interview of a short list is involved in a QBS procurement, then the contracting officer shall develop a uniform one hundred (100) point system for use in qualifications-based selection processes. Target groups determined in accordance with this chapter for the contracting category involved will be entitled to an additional ten points above the score that they receive as a result of the one hundred (100) point system in determining whether they are part of the short list of contractors arrived at for purposes of making a final selection. The final selection shall then be made in the ordinary course of making a qualifications-based selection.

5.

Informal Bids: For purchases by informal bid or informal proposal, at least one quote must be obtained from a City-based business on the list maintained by the City's Small & Minority Resource Center, or Purchasing shall require an explanation from the Director of the Small & Minority Resource Center as to why such a quote should not be required for the specified procurement.

F.

Establishment of Best Practices In Subcontracting. For purposes of implementing the city's program, the administrator will ensure that best management practices are employed to improve MBE, WBE and City-based business access to and participation in city contracts. The following



practices focus on pre-award and post-award efforts and are intended to benefit all minority contractors interested in contracting with the city. Best practices include, but are not limited to, the following:

1.

Identification of Specific Subcontractors is Required and Substitutions May Not be Made Without Good Cause Shown. Prime contractors must either identify subcontractors at the time of bid submission or indicate that they intend to meet the goals established for such contract. Following receipt of a notice of intent to award, a prime contractor must identify such subcontractors, the dollar value of each subcontractor's work, and those subcontractors may not be substituted without good cause being shown in accordance with this chapter. The administrator will determine whether good cause has been shown for the substitution of the subcontractor and shall be guided by the principles and goals of this chapter and any applicable industry standards in the contract category involved.

2.

Creation of a Uniform System for Posting Procurement Notices. The administrator or his designee, including any city consultant engaged for such purpose, the director of purchasing and the director of information technology shall establish a uniform system for posting notices of city contracts that includes posting minority contracting opportunities in the purchasing department, providing computer stations available to the public in the purchasing department for contracting opportunities, registration, placing bids, etc., placing newspaper notices, website posting, fax notification, email notification and/or any combination thereof with other methods. Sufficient time should be permitted between bid posting and bid opening so that prime contractors are able to make good faith efforts to recruit minority contractor participation.

3.

Unbundling of City Contract Opportunities into Smaller Contracts Where Feasible. Where practical and feasible, contracting officers seeking to bid city contracts should make every effort to unbundle contracts into separate parts of the work (including labor, materials, equipment, etc.) in a way that is practical, manageable, efficient and cost-effective, in a way that balances such concerns with the goal of maximizing the ability of MBEs to participate as subcontractors or as prime contractors themselves.

4.

Revising Bonding Requirements. The administrator and the city attorney shall develop a policy to reduce or eliminate to the extent practical and feasible the bonding requirements from MBEs, and WBEs for city contracts, including for example the establishment of a contingency in the budget for the work to cover the costs and consequences of a minority contractor's failure to complete, that balances the city's concerns about job completion, risks and potential liabilities, and other legal concerns with this chapter's desire to ensure that bonding requirements do not constitute an unreasonable obstacle to participation, including the creation of a contingency fund in the budget



2.

No scheme, strategy, ruse, artifice, collaboration, pass through or other device to make it appear that compliance with this chapter has been achieved or to avoid compliance with this chapter is permitted. The Compliance committee, of its own accord or upon complaint by a third party, shall have investigatory authority over such complaint, may issue determinations of compliance or noncompliance, and may impose remedies as provided for herein.

3.

Any prime contractor, minority contractor or other company involved in city contracting that violates this chapter, avoids, or attempts to avoid the implementation of this chapter or any of its requirements, goals, principles or practices, including implementation plans that may be adopted, shall be subject to debarment under the provisions of Section 3.08.090 of this title. The administrator or his designee, including any city consultant engaged for such purpose, or the compliance committee, with the advice of the city attorney, may direct that payment to prime contractors or minority businesses involved in a city contract be withheld until any violation of this chapter has been corrected, or may deduct any monetary penalty from any monies that the city owes to such contractor, without the city incurring any additional cost, charge, interest or other fee from the company committing the violation. The city may also impose and collect liquidated damages in the amount of two hundred dollars (\$200.00)/day for each day that a violation has been committed and continues ("liquidated damages"), unless the company proves and the administrator finds that mitigating or extenuating circumstances to exist, in which case such liquidated damages may be reduced in the administrator's discretion. Such liquidated damages may be imposed because of the difficulty and expense of attempting to quantify the value and assess the damage done to the program adopted under this chapter, and all companies submitted bids or proposals for city contracts shall be deemed to understand and accept the imposition of liquidated damages for violations of this chapter. The administrator shall use liquidated damages that are collected to fund outreach and educational efforts under this chapter.

4.

Any city employee deemed by the administrator or his designee, including any city consultant engaged for such purpose, or the compliance committee, with the advice of the city attorney, to have violated this chapter in an intentional or grossly negligent manner or who has avoided or attempted to avoid, or to have assisted or encouraged a company to avoid or attempt to avoid, the implementation of this chapter or any of its requirements, goals, principles or practices, including implementation plans adopted, shall be recommended for progressive disciplinary action within such employee's department and if necessary with the involvement of the city department of labor relations, subject to the terms of any collective bargaining agreement that applies.

5.

**Mandatory Good Faith Efforts—Waivers—Exceptions.** A prime contractor has the burden to demonstrate at the time of receipt of a notice of intent to award a city contract, and before the

contract is awarded, that it is committed to and will be able to achieve the subcontracting goals and requirements of this chapter. If, however, the prime contractor believes that it cannot achieve the subcontracting goals and requirements of this chapter and has not established itself to be a Majority Self Performer by the Director of the Minority and Small Resource Center, it must demonstrate that it has (a) completed good faith effort No. 1 below and has met at least two of good faith efforts Nos. 2 through 7 identified below (collectively, "good faith efforts") to the reasonable satisfaction of the administrator or his designee, including any city consultant engaged for such purpose, or the Compliance committee in order to justify a waiver of the requirements of this chapter involved in the particular situation. Good faith efforts are:

No. 1—City Website and Newspaper Notice. Publish a notice seeking subcontractors on the city's purchasing website and an advertisement (one column inch minimum) in the Saturday edition of the Connecticut Post, in the public notices section, entitled "Bridgeport Minority Contracting Opportunity" in bold lettering describing the type or types of work, services, equipment, goods or supplies being sought, and the name, address and telephone number of the prime contractor's contact person having knowledge of the subcontracting work being sought within a reasonable time prior to the time of submission of each bid, quotation or proposal.

No. 2—Written Notices to Business Associations or Agencies. The prime contractor shall send written notices to at least two business associations or development agencies, profit or nonprofit, that represent or are associated with the interests of minority contractors and who disseminate bid opportunities and other information to minority contractors, so long as such notices are sent within a reasonable time prior to the deadline for the submission of each bid, quotation or proposal. Such notices shall describe the types of work, services, equipment, goods or supplies being sought, and the name, address and telephone number of the prime contractor's contact person having knowledge of the subcontracting work being sought. The prime contractor shall make every reasonable effort to respond to the inquiries and information requests of minority contractors within a reasonable time prior to the time of submission of each bid, quotation or proposal.

No. 3—Searching Available Databases and Lists of Minority Contractors. The prime contractor shall take steps to identify minority contractors in the contracting category doing the type of work sought in connection with the city contract from lists available from the purchasing department, on the city's purchasing website or other internet websites, or at other locations.

No. 4—Obtaining Quotes from Available Minority Contractors. The prime contractor shall obtain written quotes from minority contractors that were rejected

for good cause because of cost, quality, experience, availability, responsibility, resources, equipment, lack or inadequacy of bonding or insurance, and the like.

No. 5—Attempts to Enter Into Joint Ventures or Other Arrangements with Minority Contractors. The prime contractor shall demonstrate its attempts to enter into joint ventures or other business arrangements with minority contractors not in violation of this chapter to perform portions of the work, to supply materials, and the like, and shall document all actions taken in that regard, including, where appropriate, the reasons for the failure or rejection of such efforts.

No. 6—Placing Advertisements in Minority Business Media Outlets. The prime contractor shall advertise in media outlets associated with or likely to reach minority contractors at least two times within a reasonable time prior to the date for submission of the bid, quotation or proposal for the city contract involved that includes a reasonable time for minority contractors to provide quotes.

No. 7—Other Efforts Particular to the Bid. The administrator may approve other good faith efforts that can be made in connection with a particular bid.

6.

Exemptions—Waivers.

a.

The following procurements are exempt from the application of this chapter:

i.

Qualified purchases, emergency purchases, or purchases from federal, state, regional or other cooperative bidding arrangements.

ii.

Bids that are otherwise exempted from competitive bidding or procurement requirements under the city's purchasing ordinance or city charter, for example, the selection of bond underwriters for the sale of city general obligation bonds.

b.

Other work for which the administrator determines that there are no minority contractors registered, available or qualified to bid on such work.

c.

Any waiver request and all supporting documentation and must be submitted to and accepted by the administrator prior to the contract being awarded.

7.

**Prohibition Against Double-Counting** Minority contractor participation in a city contract may not be double-counted in calculating whether the percentage goal has been met. If, for example, a minority contractor is also a minority female contractor, in calculating the prime contractor's compliance with the attainable goal, the minority contractor's portion of the contract may be calculated only in terms of the aggregate value of its portion of the contract work as a percentage of the total contract work.

EXHIBIT A

Tax Payment Schedule

Installments

<u>Construction Period Tax Abatement</u>	<u>Amount</u>	<u>Payment Date</u>
First Installment (land only)	\$11,950	July 1, 2022
Second Installment (land only)	\$11,950	Jan 1, 2023
Third Installment (land only)	\$11,950	July 1, 2023
Fourth Installment (land only)	\$11,950	Jan1, 2024

Lease-Up Period Tax Abatement

First Installment (land only)	\$11,950	July 1, 2024
Second Installment (land only)	\$11,950	Jan 1, 2025

Operating Period Tax Abatement

First Installment	\$630,000.00	July 1, 2025
Second Installment	\$630,000.00	Jan 1, 2026
Third Installment	\$642,600.00	July 1, 2026
Fourth Installment	\$642,600.00	Jan 1, 2027
Fifth Installment	\$655,452.00	July 1, 2027
Sixth Installment	\$655,452.00	Jan 1, 2028
Seventh Installment	\$668,561.04	July 1, 2028
Eighth Installment	\$668,561.04	Jan 1, 2029
Ninth Installment	\$681,932.26	July 1, 2029
Tenth Installment	\$681,932.26	Jan 1, 2030

Eleventh Installment	\$695,570.91	July 1, 2030
Twelfth Installment	\$695,570.91	Jan 1, 2031
Thirteenth Installment	\$709,482.32	July 1, 2031
Fourteenth Installment	\$709,482.32	Jan 1, 2032
Fifteenth Installment	\$723,671.97	July 1, 2032
Sixteenth Installment	\$723,671.97	Jan 1, 2033
Seventeenth Installment	\$738,145.41	July 1, 2033
Eighteenth Installment	\$738,145.41	Jan 1, 2034

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**Tax Incentive Development Agreement Payment Schedule**  
**East Main Street - Steelpointe Housing & Related Improvements**

11.22.2021

Schedule of Tax Payments Due	Per Agreement	1/2 PMT Due	1/2 PMT Due	Due Dates
Year 1 Construction Fixed at Current Tax	\$ -	\$ -	\$ -	7.1.22 & 1.1.23
Year 2 Construction Fixed at Current Tax	\$ -	\$ -	\$ -	7.1.23 & 1.1.24
Year 3 Lease-Up Fixed at Current Tax	\$ -	\$ -	\$ -	7.1.24 & 1.1.25
Year 4 at New Base Tax	\$ 1,260,000.00	\$ 630,000.00	\$ 630,000.00	7.1.25 & 1.1.26
Year 5 Escalating	\$ 1,285,200.00	\$ 642,600.00	\$ 642,600.00	7.1.26 & 1.1.27
Year 6 Escalating	\$ 1,310,904.00	\$ 655,452.00	\$ 655,452.00	7.1.27 & 1.1.28
Year 7 Escalating	\$ 1,337,122.08	\$ 668,561.04	\$ 668,561.04	7.1.28 & 1.1.29
Year 8 Escalating	\$ 1,363,864.52	\$ 681,932.26	\$ 681,932.26	7.1.29 & 1.1.30
Year 9 Escalating	\$ 1,391,141.81	\$ 695,570.91	\$ 695,570.91	7.1.30 & 1.1.31
Year 10 Escalating	\$ 1,418,964.65	\$ 709,482.32	\$ 709,482.32	7.1.31 & 1.1.32
Year 11 Escalating	\$ 1,447,343.94	\$ 723,671.97	\$ 723,671.97	7.1.32 & 1.1.33
Year 12 Escalating	\$ 1,476,290.82	\$ 738,145.41	\$ 738,145.41	7.1.33 & 1.1.34
<b>Total</b>	<b>\$ 12,290,831.82</b>			

New Tax	per unit	\$ 1,260,000
\$3,000	420 # units	
1.02 ann. esc.		
0.5 1/2 PMT		



**Analysis of Presumed Taxes Foregone - (New Revenue Exceeds Abatement)**

<u>Schedule of Tax Payments Due</u>	<u>Per Agreement</u>	<u>Full Tax *</u>	<u>Difference</u>
Year 1 Construction Fixed at Current Tax	\$ -	0	\$ -
Year 2 Construction Fixed at Current Tax	\$ -	0	\$ -
Year 3 Lease-Up Fixed at Current Tax	\$ -	\$ 1,271,289	
Year 4 at New Base Tax	\$ 1,260,000.00	\$ 2,542,577	
Year 5 Escalating	\$ 1,285,200.00	\$ 2,542,577	
Year 6 Escalating	\$ 1,310,904.00	\$ 2,542,577	
Year 7 Escalating	\$ 1,337,122.08	\$ 2,542,577	
Year 8 Escalating	\$ 1,363,864.52	\$ 2,542,577	
Year 9 Escalating	\$ 1,391,141.81	\$ 2,542,577	
Year 10 Escalating	\$ 1,418,964.65	\$ 2,542,577	
Year 11 Escalating	\$ 1,447,343.94	\$ 2,542,577	
Year 12 Escalating	\$ 1,476,290.82	\$ 2,542,577	
<b>Total</b>	<b>\$ 12,290,831.82</b>	<b>\$ 24,154,482</b>	<b>\$ 11,863,649.86</b>

<u>Presumed Full Tax</u>		
	<b>6,054</b>	<b>per unit</b>
Derived From Bijou Square Sale Price:	<b>420</b>	<b># units</b>
# units	17,250,000	\$ 2,542,577
Price Per Unit	189,560	
Assessed Value at 70%	132,692	
Tax Per Unit At Mill Rate of 43.45	5,765	
Escalated by 5% as Presumed Full Tax	6,054	