

AGENDA

CITY COUNCIL MEETING

TUESDAY, JANUARY 16, 2018

7:00 P.M.

CITY COUNCIL CHAMBERS, CITY HALL - 45 LYON TERRACE
BRIDGEPORT, CONNECTICUT

Prayer

Pledge of Allegiance

Roll Call

Mayoral and City Council Citation(s) along with Certificates of Merit from the Connecticut Conference of Municipalities Honoring Daniel Arango and Juthika Rasul for their CCM #LoCoolGov Contest essay about the City of Bridgeport.

Mayoral and City Council Citation(s): Honoring the Rev. Herron Keyon Gaston for his civic contributions, work with the youth and making a significant impact in the life of the City.

- 03-17** Public Hearing re: Disposition of Certain City-Owned Properties (5) by Auction, Sale to Abutter or by Sale to Community Based Housing Development Corporations.

MINUTES FOR APPROVAL:

Approval of City Council Minutes: December 18, 2017

COMMUNICATIONS TO BE REFERRED TO COMMITTEES:

- 30-17** Communication from Labor Relations re: Proposed Tentative Agreement with Police Union Local #1159 (AFSCME Council 4) regarding their Bargaining Unit Contract, referred to Contracts Committee.
- 32-17** Communication from Engineering re: Proposed Memorandum of Agreement with the Federal Highway Administration, CT State Historic Preservation Office, CT Department of Transportation and CT Department of Energy and Environmental Protection regarding Route 127 Safety Improvements at Evers Street, Federal Aid Project No. 0127(001); State Project No. 15-335, referred to Public Safety and Transportation Committee.
- 33-17** Communication from City Attorney re: Proposed Settlement of Pending Litigation with Orlando Soto Conservator of the Estate of Israel Soto, referred to Miscellaneous Matters Committee.

RESOLUTIONS TO BE REFERRED TO BOARDS, COMMISSIONS, ETC.:

- 31-17** Resolution presented by Council Member(s) Valle & Nieves re: Proposed request that a Traffic Control Signal be installed at the intersection of Barnum Avenue and Hallett Street, referred to Board of Police Commissioners.

**RESOLUTIONS TO BE REFERRED TO BOARDS, COMMISSIONS, ETC.
CONTINUED:**

- 34-17** Resolution presented by Council Member(s) Newton & Martinez re: (Ref. #141-16) Proposed resolution regarding the reversal of the 2017 Amendments to Chapter 3.20 – Tax Incentive Development Program of the Municipal Code of Ordinances, referred to Ordinance Committee.
- 35-17** Resolution presented by Council Member(s) Newton & Martinez re: (Ref. #142-16) Proposed resolution regarding the reversal of the 2017 Amendments to Chapter 3.24 – Affordable Housing Tax Incentive Development Program of the Municipal Code of Ordinances, referred to Ordinance Committee.
- 36-17** Resolution presented by Council Member Spain, Co-sponsor(s): Banta, Brown, Herron, Jackson, Langan, Lyons, Martinez, Newton, Nieves, Roman-Christy, C. Smith, N. Smith & Taylor-Moye re: Proposed Amendment to the Municipal Code of Ordinances, Title 8 – Health and Safety, amend to add New Chapter 8.09 – Prohibition on Waste Associated with Natural Gas and Oil Extraction, referred to Joint Committee on Ordinance and Economic and Community Development and Environment.
- 37-17** Resolution presented by Council Member Spain, Co-sponsor(s): Brown, Jackson, Langan, Martinez, Newton & C. Smith re: Proposed request that appropriate reimbursements be made to the city for expenses incurred by the Mayor, referred to Budget and Appropriations Committee.

THE FOLLOWING NAMED PERSON HAS REQUESTED PERMISSION TO ADDRESS THE CITY COUNCIL ON TUESDAY, JANUARY 16, 2018 AT 6:30 P.M., IN THE CITY COUNCIL CHAMBERS, CITY HALL, 45 LYON TERRACE, BRIDGEPORT, CT.

<u>NAME</u>	<u>SUBJECT</u>
John Marshall Lee 30 Beacon Street Bridgeport, CT 06605	City Budget.
John Brannelly City Lights Gallery 265 Golden Hill Street Bridgeport, CT 06604	Hosting event that took place on January 12 th that benefited art programs such as Multicultural Magnet.
Dasha Spell 144 Golden Hill Street, #406 Bridgeport, CT 06604	Classical Studies Magnet Academy.
Beth Lazar 1241 Main Street, Apt. 728 Bridgeport, CT 06604	Saving and preserving Remington Woods.
Cecil C. Young 99 Carroll Avenue Bridgeport, CT 06607	Update of unjust termination issue.
Ethan Book 144 Coleman Street Bridgeport, CT 06604	Recent tax increase.

**CITY COUNCIL MEETING
PUBLIC SPEAKING
TUESDAY, JANUARY 16, 2018
6:30 PM**

**City Council Chambers, City Hall
45 Lyon Terrace
Bridgeport, CT**

CALL TO ORDER

Council President Nieves called the Public Speaking session to order at 6:40 p.m.

ROLL CALL

The City Clerk Lydia Martinez called the roll.

130th District: Pete Spain
131st District: Denese Taylor-Moye, Jack O. Banta
132nd District: Marcus Brown, Kyle Langan
133rd District: Jeanette Herron
134th District: Michelle Lyons
135th District: Rosalina Roman-Christy, Mary McBride-Lee
136th District: Alfredo Castillo, Maria Zambrano Viggiano
137th District: Aidee Nieves, Maria Valle
138th District: Karen Jackson, Nessah Smith
139th District: Ernest Newton

RECEIVED
CITY CLERKS OFFICE
18 JAN 19 PM 4:31
ATTEST
CITY CLERK

A quorum was present.

Council President Nieves said that Council Members McCarthy and Vizzo-Paniccia were absent due to illness and Council Member Martinez had an emergency.

THE FOLLOWING NAMED PERSON HAS REQUESTED PERMISSION TO ADDRESS THE CITY COUNCIL ON TUESDAY, JANUARY 16, 2018 AT 6:30 P.M., IN THE CITY COUNCIL CHAMBERS, CITY HALL, 45 LYON TERRACE, BRIDGEPORT, CT.

NAME

SUBJECT

John Marshall Lee
30 Beacon Street
Bridgeport, CT 06605

City Budget.

Mr. John Marshall Lee came forward and read the following statement into the record:

Ladies and Gentlemen of the latest City Council, January 16, 2018

When you approached the voters you may have known some issues dear to them, had a good reputation in your district, or were considered someone who would stand for the community and have its back. Great. Congratulations!! Because now you are about proving that.

You all have equal **time**....that is 24/7 for the serious work of representation. **Talent**....skills, experience, knowledge, and relationships to come up with creative solutions. And **resources**....that is the TAXPAYER money in an operating budget or in a capital budget, already borrowed, the people who are employed in municipal work and the Charter, rules and policy of Bridgeport.

Let's talk about **time** first; the time committed by you to Council work and Committee meetings. I have been surprised at the number of recent cancelled Committee Meetings of the new Council. A comment overheard suggests that the City had not set out much for you to deliberate, discuss or decide so meetings were eliminated. Does this make good sense for the community at large, I ask you?

There is much to be learned by the newest members, not only about how the City Council operates twice per month when you all come together, but specifically about each Committee, the nature of its work and background info necessary to pick up where the old committee left off. I am most familiar with the way Budget and Appropriations has worked for years. What discussions are they having on the CAFR released last week, a document that provides a wonderful overall view for you? Read the narrative. Puzzle out the financial illustrations. What plans does the administration have for the departments you to review during budget sessions? What information can you review today so as to fully understand Capital budgeting plans? Have you discussed what professional assistance may be useful for more than the few weeks on operating budget formation annually? There are 5 rookies on this Committee. Don't they need every chance to get up to speed before decisions are facing them?

Public Safety and Transportation did not meet in December or yet in January as a meeting was canceled. More than half the members of this group are newly elected to the Council. The budgets for Police and Fire have grown faster than average in recent years and overtime budgets have been reasons for negative variances, yet there is nothing to learn, discuss, review, or have basic conversations about? Do you realize that the fringe benefit line for Police costs more than the salary line? Why is that? Know any private business that operates that way?

Perhaps Public Safety Comm. might consult the monthly operating budget to see that budgeted fringe benefits exceed basic compensation for the department. How did that happen? Was it planned? Would they also like to know how the year closed with the final June 30 report used in the Audit which had revisions and adjustments? Has a request been made to the Finance Director for the document?

Times are scheduled for you to respond to City actions, but that does not stop you from scheduling your own activities other than a Karaoke benefit and inviting the public to participate. How much benefit came from your fund raiser by the way? That is news, by the way.

Your talents will shine if you do the time and let the public in to see, ask questions, and learn with you. You must learn to question more frequently. Where is the fund for Lighthouse shown in City records? Where is the income from In-Plant Printing since last summer? Are they charging outsiders to gain revenue? Just examples of questions. Your opportunity. Time will tell.

John Brannelly
265 Golden Hill Street
Bridgeport, CT 06604

Hosting event that took place
on City Lights Gallery
January 12th that benefited
art programs such as Multicultural
Magnet.

Mr. Brannelly came forward, introduced himself and said he was the Vice President of the City Lights Gallery & Bridgeport Art Trail. He thanked Council Member McCarthy and Council President Nieves for their support during a recent event at the City Lights Gallery which raised over \$1,000 for a multi-cultural arts program.

Mr. Brannelly then invited all the Council Members to attend the Artist Reception for the new Vintage Pop-Up on January 25th at the 23 Golden Hill Street location.

Mr. Brannelly said that he also works for the American Heart Association. Heart disease is the #1 killer in the U.S. He informed the Council Members that he had left a lapel pin and AHA information at their Council desks.

Mr. Brannelly concluded his remarks by thanking the Council for their on-going support of the City Lights Gallery.

Ms. Dasha Spell
144 Golden Hill Street, #406
Bridgeport, CT 06604

Classical Studies Magnet
Academy.

Ms. Dasha Spell came forward and spoke about the Classical Studies Magnet Academy program and said that she would be following in Mr. Young's persistent footsteps.

She then explained that Classical Studies Magnet Academy was established in 2005. In 2008, they were approved to expand to K-6. Due to this expansion, they took over a second building that now has a leaky roof, and no security. The school is asking for something simple, just to be in one place and have a place to call their own. Everyone is asking for money, but she is just asking for a chance to have an open discussion about this issue. The staff and students have every right to ask the Council Members to listen and discuss this. There are over 30 schools in the City and more than 6 Charter Schools, the most in the State. They have to split resources, such as the library between two buildings.

Beth Lazar
1241 Main Street, Apt. 728
Bridgeport, CT 06604

Saving and preserving
Remington Woods.

Council President Nieves called for Ms. Lazar to come forward. There was no response. She called for Ms. Lazar a second time with no response.

Cecil C. Young
99 Carroll Avenue
Bridgeport, CT 06607

Update of unjust termination
issue.

Mr. Young came forward and said that he was not just talking about "me", but "we". He said that Mr. Cruz had spoken about the issue of gun violence recently and that the groups need to come together to work towards the common cause. He said that when he was the supervisor at P.T. Barnum, he worked on the issue of gun violence. Even after work, he would patrol the project off the clock to make sure that everything was okay. It will be important to have community policing. He spoke about how he used to meet with the officers on Stratford Avenue and named a number of different officers, including Police Chief A.J. Perez and some of the detectives. He related several incidents that he was involved in as a liaison. Community policing reduced the number of the gun incidents in P.T. Barnum. He said that he was ready to meet with the officers and show them how to do this.

Ethan Book
144 Coleman Street
Bridgeport, CT 06604

Recent tax increase.

Mr. Book came forward and said that he would wait until the next Council Meeting to address the Council.

Mr. Chris Taylor
155 Davenport St
Bridgeport, CT

General Information

Mr. Taylor said that he was concerned about the Classical Studies Magnet school. He suggested that the Classical Studies Academy move into the Dunbar School once the Tisdale students move back to their facility.

Mr. Taylor said that he was recently told that allegedly 6,000 yards of PCB contaminated soil was dumped at Harding High School by a contractor. He said that he did not know if it was true or not, but that the Council should be aware of this.

Mr. Albert Benejan
752 William Street
Bridgeport, CT

Bassick High School

Mr. Benejan came forward and said that he was the PTA President for Bassick High School. He thanked the Council for their support. He said that Bassick was built in the 1920's and it is time that they got better facilities. It is time for the BOE and the Council to work together. He said that he was tired of hearing that the BOE and the City can't work together. Everyone pays taxes. He maintains an open door and is willing to work with everyone who wants to work together.

ADJOURNMENT

Council President Nieves closed the public speaking portion at 7:08 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services

CITY OF BRIDGEPORT
CITY COUNCIL MEETING
TUESDAY, JANUARY 16, 2018

7:00 PM

City Council Chambers, City Hall - 45 Lyon Terrace
Bridgeport, Connecticut

CALL TO ORDER

Mayor Gamin called the Council Meeting to order at 7:19 p.m.

PRAYER

Mayor Ganim requested Mr. Ethan Book lead those present in prayer.

PLEDGE OF ALLEGIANCE

Mayor Ganim requested the Assistant City Clerk Frances Ortiz to lead those present in reciting the Pledge of Allegiance.

ROLL CALL

The City Clerk called the roll.

130th District: Pete Spain
131st District: Denese Taylor-Moye, Jack O. Banta
132nd District: Marcus Brown, Kyle Langan
133rd District: Jeanette Herron
134th District: Michelle Lyons
135th District: Rosalina Roman-Christy, Mary McBride-Lee
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A quorum was present.

Mayoral and City Council Citation(s) along with Certificates of Merit from the Connecticut Conference of Municipalities Honoring Daniel Arango and Juthika Rasul for their CCM #LoCoolGov Contest essay about the City of Bridgeport.

Daniel Arango and Juthika Rasul were called forward and presented with a Connecticut Conference of Municipalities Certificate of Merit along with both Mayoral and City Council Citations recognizing their contributions to City residents.

Mayoral and City Council Citation(s): Honoring the Rev. Herron Keyon Gaston for his civic contributions, work with the youth and making a significant impact in the life of the City.

Rev. Herron Keyon Gaston was called forward and presented with both Mayoral and City Council Citations recognizing his positive contributions to City's youth.

03-17 Public Hearing re: Disposition of Certain City-Owned Properties (5) by Auction, Sale to Abutter or by Sale to Community Based Housing Development Corporations.

Mayor Ganim opened the hearing on the Disposition of Certain City-Owned Properties at 7:40 p.m. He asked if anyone present who would like to speak in favor of the item. No one came forward. Mayor Ganim repeated his question. There was no response. Mayor Ganim then asked if anyone would like to speak in opposition. No one came forward. Mayor Ganim repeated his question. Hearing no response, Mayor Ganim closed the hearing on the Disposition of Certain City-Owned Properties at 7:41 p.m.

MINUTES FOR APPROVAL:

Approval of City Council Minutes: December 18, 2017

**** COUNCIL MEMBER BROWN MOVED THE DECEMBER 18, 2017 COUNCIL MINUTES.**

**** COUNCIL MEMBER TAYLOR-MOYE SECONDED.**

The following correction was noted:

Page 9, last paragraph: please change the following from:

“Council President Nieves announced that Council Member Banta was absent due to illness, and Council Member Castillo and Vizzo-Paniccia were absent due to schedule conflicts.”

TO:

“Council President Nieves announced that Council Member Banta was absent due to illness, and Council Member Castillo was absent due to schedule conflict and Council Member Vizzo-Paniccia wasn't present due to being ill with the flu virus.”

**** THE MOTION TO APPROVE THE DECEMBER 18, 2017 COUNCIL MINUTES AS CORRECTED PASSED UNANIMOUSLY.**

COMMUNICATIONS TO BE REFERRED TO COMMITTEES:

30-17 Communication from Labor Relations re: Proposed Tentative Agreement with Police Union Local #1159 (AFSCME Council 4) regarding their Bargaining Unit Contract, referred to Contracts Committee.

32-17 Communication from Engineering re: Proposed Memorandum of Agreement with the Federal Highway Administration, CT State Historic Preservation Office, CT Department of Transportation and CT Department of Energy and Environmental Protection regarding Route 127 Safety Improvements at Evers Street, Federal Aid Project No. 0127(001); State Project No. 15-335, referred to Public Safety and Transportation Committee.

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34-17 Resolution presented by Council Member(s) Newton & Martinez re: (Ref. #141-16) Proposed resolution regarding the reversal of the 2017 Amendments to Chapter 3.20 – Tax Incentive Development Program of the Municipal Code of Ordinances, referred to Ordinance Committee.

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37-17 Resolution presented by Council Member Spain, Co-sponsor(s): Brown, Jackson, Langan, Martinez, Newton & C. Smith re: Proposed request that appropriate reimbursements be made to the city for expenses incurred by the Mayor, referred to Budget and Appropriations Committee.

Council Member Newton requested that Agenda **Item #30-17** be withdrawn. He then read the following letter into the record:

City of Bridgeport
City Council
Regular Meeting
January 16, 2018

January 16, 2018

Honorable City Council Members
Office of the City Clerk
City of Bridgeport

RE: Bridgeport Police Local #1159 Tentative Agreement – WITHDRAWAL

Dear Honorable Members:

The Tentative Agreement between the City of Bridgeport and the Bridgeport Police Local #1159 (AFSCME Council 4) was NOT RATIFIED in a union vote conducted on January 12, 2018.

Consequently, there is no need for City Council action on this matter. This office respectfully requests that the City Council vote to approve the Office of Labor Relations withdrawal of this matter from Council consideration. Proposed motion to be made by one of the Contract Committee Co-Chairpersons: "I hereby move to approve the Office of Labor Relations withdrawal item #30-17 from City Council consideration."

The parties will return to binding arbitration and we will update you as developments occur.

Sincerely

Janene Hawkins
Director of Labor Relations.

**** COUNCIL MEMBER NEWTON MOVED TO THE OFFICE OF LABOR RELATIONS WITHDRAWAL ITEM #30-17 FROM CITY COUNCIL CONSIDERATION.**

**** COUNCIL MEMBER HERRON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER HERRON MOVED TO COMBINE THE FOLLOWING ITEMS FOR APPROVAL:**

COMMUNICATIONS TO BE REFERRED TO COMMITTEES:

32-17 COMMUNICATION FROM ENGINEERING RE: PROPOSED MEMORANDUM OF AGREEMENT WITH THE FEDERAL HIGHWAY ADMINISTRATION, CT STATE HISTORIC PRESERVATION OFFICE, CT DEPARTMENT OF TRANSPORTATION AND CT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION REGARDING ROUTE 127 SAFETY IMPROVEMENTS AT EVERS STREET, FEDERAL AID PROJECT

City of Bridgeport
City Council
Regular Meeting
January 16, 2018

NO. 0127(001); STATE PROJECT NO. 15-335, REFERRED TO PUBLIC SAFETY AND TRANSPORTATION COMMITTEE.

33-17 COMMUNICATION FROM CITY ATTORNEY RE: PROPOSED SETTLEMENT OF PENDING LITIGATION WITH ORLANDO SOTO CONSERVATOR OF THE ESTATE OF ISRAEL SOTO, REFERRED TO MISCELLANEOUS MATTERS COMMITTEE.

RESOLUTIONS TO BE REFERRED TO BOARDS, COMMISSIONS, ETC.:

31-17 RESOLUTION PRESENTED BY COUNCIL MEMBER(S) VALLE & NIEVES RE: PROPOSED REQUEST THAT A TRAFFIC CONTROL SIGNAL BE INSTALLED AT THE INTERSECTION OF BARNUM AVENUE AND HALLETT STREET, REFERRED TO BOARD OF POLICE COMMISSIONERS.

34-17 RESOLUTION PRESENTED BY COUNCIL MEMBER(S) NEWTON & MARTINEZ RE: (REF. #141-16) PROPOSED RESOLUTION REGARDING THE REVERSAL OF THE 2017 AMENDMENTS TO CHAPTER 3.20 – TAX INCENTIVE DEVELOPMENT PROGRAM OF THE MUNICIPAL CODE OF ORDINANCES, REFERRED TO ORDINANCE COMMITTEE.

35-17 RESOLUTION PRESENTED BY COUNCIL MEMBER(S) NEWTON & MARTINEZ RE: (REF. #142-16) PROPOSED RESOLUTION REGARDING THE REVERSAL OF THE 2017 AMENDMENTS TO CHAPTER 3.24 – AFFORDABLE HOUSING TAX INCENTIVE DEVELOPMENT PROGRAM OF THE MUNICIPAL CODE OF ORDINANCES, REFERRED TO ORDINANCE COMMITTEE.

36-17 RESOLUTION PRESENTED BY COUNCIL MEMBER SPAIN, CO-SPONSOR(S): BANTA, BROWN, HERRON, JACKSON, LANGAN, LYONS, MARTINEZ, NEWTON, NIEVES, ROMAN-CHRISTY, C. SMITH, N. SMITH & TAYLOR-MOYE RE: PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES, TITLE 8 – HEALTH AND SAFETY, AMEND TO ADD NEW CHAPTER 8.09 – PROHIBITION ON WASTE ASSOCIATED WITH NATURAL GAS AND OIL EXTRACTION, REFERRED TO JOINT COMMITTEE ON ORDINANCE AND ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT.

37-17 RESOLUTION PRESENTED BY COUNCIL MEMBER SPAIN, CO-SPONSOR(S): BROWN, JACKSON, LANGAN, MARTINEZ, NEWTON & C. SMITH RE: PROPOSED REQUEST THAT APPROPRIATE REIMBURSEMENTS BE MADE TO THE CITY FOR EXPENSES INCURRED BY THE MAYOR, REFERRED TO BUDGET AND APPROPRIATIONS COMMITTEE

**** COUNCIL MEMBER LYONS SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** COUNCIL MEMBER HERRON MOVED TO ADJOURN.
** COUNCIL MEMBER TAYLOR-MOYE SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned 7:45 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Service

**CITY OF BRIDGEPORT
CITY COUNCIL
NOTICE OF PUBLIC HEARING**

A Public Hearing will be held before the City Council of Bridgeport at a regular meeting to be held on Tuesday evening, January 16, 2018 beginning at 7:00 p.m., in the City Council Chamber, City Hall, 45 Lyon Terrace, Bridgeport, Connecticut, relative to:

Item #03-17

1. Disposition of Certain City- Owned Properties (5) by Auction, Sale to Abutter or by Sale to Community Based Housing Development Corporations.

- 327 Carroll Avenue
- 347 Wilmot Avenue
- 220 Adams Street
- 780 Platt Street
- 199 Fifth Street

Attest:

Lydia N. Martinez
City Clerk

AD ENDS ABOVE LINE

ECD& Environment Committee
Public Hearing
January 3, 2018
Page 2 of 2

Requires Certification

2 Editions, Connecticut Post:

PLEASE PUBLISH ON (Friday, January 5, 2018 & Friday, January 12, 2018)

Emailed to: Legal Ad Dept. at publicnotices@ctpost.com

Account #: 111171

PO: 18000311-00

Dated: January 3, 2018

Sent By:

Althea Williams

City Clerk's Office

45 Lyon Terrace

Bridgeport, CT 06604

(203) 576-7205

(203) 332-5608 (Fax)

Ec: City Council Members
Mayor Joseph P. Ganim
K. Staley, Acting CAO
J. Gomes, Deputy CAO
D. Shamas, Chief of Staff
C. Bartlett-Josie, Deputy Chief of Staff
T. Gaudett, Mayor's Aide
R. Christopher Meyer, City Attorney
M. Anastasi, Associate City Attorney
R. Liskov, Associate City Attorney
D. Adams, Dir., Government Accountability & Integrity
T. Gill, Director, OPED
B. Coleman, Director, Neighborhood Development, OPED
M. Perez, Director, Business Development



CITY OF BRIDGEPORT, CONNECTICUT
OFFICE OF LABOR RELATIONS

45 Lyon Terrace • Bridgeport, Connecticut 06604 • Telephone (203) 576-7610

JANENE HAWKINS
Director

JOSEPH P. GANIM
Mayor

January 16, 2018

Honorable City Council Members
Office of the City Clerk
City of Bridgeport

RE: Bridgeport Police Local #1159 Tentative Agreement – WITHDRAWAL

Dear Honorable Members:

The Tentative Agreement between the City of Bridgeport and the Bridgeport Police Local #1159 (AFSCME Council 4) was NOT RATIFIED in a union vote conducted on January 12, 2018.

Consequently, there is no need for City Council action on this matter. This office respectfully requests that the City Council vote to approve the Office of Labor Relations withdrawal of this matter from Council consideration. Proposed motion to be made by one of the Contract Committee Co-Chairpersons: "I hereby move to approve the Office of Labor Relations withdrawal item #30-17 from City Council consideration."

The parties will return to binding arbitration and we will update you as developments occur.

Sincerely,

Janene Hawkins
Director of Labor Relations

RECEIVED
CITY CLERKS OFFICE
18 JAN 17 AM 10:05
ATTEST
CITY CLERK

cc: Mayor Joseph P. Ganim
Kimberly Staley - CAO

WITHDRAWAL OFF THE FLOOR

MEETING DATE: January 16, 2018

NO. 30-17

COMMITTEE: Contracts

REFERRED TO COMM.:

SUBJECT: Re: Proposed Tentative Agreement with Police Union Local #1159 (AFSCME Council 4) regarding their Bargaining Unit Contract.

MOTION BY: Ernest N

2ND BY: J. Herron

APPROVED DENIED Tabled REF. TO COMM.

REMARKS:

Motion to Withdraw

	YES	NO
Christina B. Smith		
Pete Spain		
Jack O. Banta		
Denese Taylor-Moye		
Marcus A. Brown		
Kyle Pichè Langan		
Thomas C. McCarthy		
Jeanette Herron		
Michelle A. Lyons		
AmyMarie Vizzo-Paniccia		
Mary A. McBride-Lee		
Rosalina Roman-Christy		
Maria Zambrano Viggiano		
Alfredo Castillo		
Aidee Nieves		
Maria I. Valle		
Karen Jackson		
Nessah J. Smith		
Eneida L. Martinez		
Ernest E. Newton, II		

RECEIVED
 CITY CLERKS OFFICE
 18 JAN 17 AM 9:32
 ATTEST
 CITY CLERK



CITY OF BRIDGEPORT, CONNECTICUT
OFFICE OF LABOR RELATIONS

45 Lyon Terrace • Bridgeport, Connecticut 06604 • Telephone (203) 576-7610

JANENE HAWKINS
Director

JOSEPH P. GANIM Mayor COMM. #30-17 Ref'd to Contracts Committee on 01/16/2018.

December 22, 2017

Honorable City Council Members
Office of the City Clerk
City of Bridgeport

RE: Bridgeport Police Local #1159 Tentative Agreement

RECEIVED
CITY CLERKS OFFICE
18 JAN -5 PM 1:10
ATTEST
CITY CLERK

Dear Honorable Members:

The City of Bridgeport and the Bridgeport Police Local #1159 (AFSCME Council 4) have reached a tentative agreement regarding their bargaining unit contract. Attached for your review is a copy of the signed tentative agreement. This agreement is subject to ratification by the union membership and approval by the City Council.

Please note that Connecticut General Statute §7-474(b) imposes two (2) important time constraints related to action by a legislative body on this type of agreement. These are:

1. [The agreement] shall be submitted by the bargaining representative of the municipality within fourteen days of the date on which such agreement is reached to the legislative body which may approve or reject such request as a whole ... As this agreement was signed on December 20, 2017, this requirement has been met.
2. Such request [to approve the agreement] shall be considered approved if the legislative body fails to vote to approve or reject such request within thirty days of the end of the fourteen-day period for submission to said body. Based on this language, if the City Council does not accept or reject the agreement by Friday, February 2, 2018, the agreement will be considered approved by operation of law.

This office respectfully requests the City Council approve the attached negotiated agreement.

Sincerely,

Janene Hawkins
Janene Hawkins
Director of Labor Relations

cc: Mayor Joseph P. Ganim
Kimberly Staley - CAO

**Tentative Agreement
Between the
Bridgeport Police Local #1159 and
Council #4 AFSCME, AFL-CIO and
City of Bridgeport**

The City of Bridgeport ("City") and AFSCME Council 4, Locals 1159 ("Union") covenant and agree that the following represents their tentative agreement for a successor contract to the collective bargaining agreement which expired on June 30, 2016:

1. Monetary Issues

- a) Contract Term: July 2016 - June 2020
- b) Wages: 0% effective July 1, 2016
 - 2.5% effective and retroactive to July 1, 2017
 - 2.5% effective July 1, 2018
 - 2.0% effective July 1, 2019

2. The City Surcharge rate per Article 37 - increase from \$10.00 per hour to \$17.00 per hour with a \$1.00 per hour increase for officers. These surcharge rate increases are only applicable to construction, utilities and road jobs. These new rate increases are not applicable to department store work, small business (less than 10 employee) or special event duties.

3. **Article 25 – Minimum Pay For Call Back and Off-Duty Arrests and Off-Duty Court:** change minimum of eight (8) hours pay to minimum four (4) hours pay. Please see attached.

4. Change Article 11 section 4 as follows:

ARTICLE 11

DISCIPLINARY ACTION

Section 4 - Notwithstanding the above, an employee charged with a disciplinary offense under Section 2 or 3 may be suspended without pay or suspended with pay or placed on administrative status and may be prohibited from working or may be assigned to work other than his regular duties within his own division or in a non-biddable position, at the discretion of the Chief or his designee until such charges have been drafted and/or heard and a decision rendered. In the event

the employee is suspended with pay or placed on administrative status and assigned to inside work, he shall not be entitled to outside overtime, but shall be entitled to inside overtime in the position to which he is assigned. Any such employee assigned to inside work may still seek a make whole remedy for lost overtime. **When an employee is placed on administrative leave or administrative status, the reasons for such placement must be presented in writing to the member and copied to the union within five (5) calendar days of the action. No member shall be on administrative status for more than one hundred eighty (180) days absent mutual agreement or legitimate business reasons. In the event the City alleges that it cannot meet the one hundred and eighty (180) day deadline due to legitimate business reasons, it shall provide these reasons to the Union in writing. The Union shall have the right to file for expedited arbitration with the American Arbitration Association ("AAA") on the sole issue of legitimate business reasons in accordance with AAA rules.** The Union shall not process any grievance for any other employee whose overtime opportunities are adversely affected by the employee on suspension with pay and/or administrative status assigned in accordance with this Section. Any such immediate suspension without pay may only be imposed and continued in cases where the officer has been arrested for felony charges, or is unavailable for duty because of incarceration; or because of institutionalization in connection with actions that would constitute a felony. If any employee is suspended without pay under this Section 4, he shall, within ten (10) work days of such suspension, have a hearing with reference to the charges against him commenced by the Chief of Police. With the mutual agreement of all parties, which may not be unreasonably denied, the ten (10) day requirement can be waived, however, a hearing on the charges shall be commenced within sixty (60) days of the date of suspension and continuance for commencement of the hearing shall only be granted beyond sixty

(60) days upon request of the accused and/or his representative; however, a hearing shall be held within a reasonable period of time.

In discipline cases of suspension without pay, if a hearing has been commenced within sixty (60) days of the date of suspension, but remains incomplete, such employee's pay shall be reinstated on the sixty-first (61st) day.

(A) All disciplinary investigations referred by the Chief to the office of internal affairs must be completed by internal affairs within one hundred and twenty (120) days of the referral. The one hundred and twenty (120) day timeline shall not apply in cases involving an arrest or in circumstances where the investigation cannot be completed within the one hundred and twenty (120) day timeline for legitimate business reasons. The Chief shall have thirty (30) days from receipt of the internal affairs report to notice a hearing on the charges. The hearing shall commence within fourteen (14) days from said notice. In the event the City alleges that it cannot meet the one hundred and twenty (120) day deadline due to legitimate business reasons, it shall provide these reasons to the Union in writing. The Union shall have the right to file for expedited arbitration with the American Arbitration Association ("AAA") on the sole issue of legitimate business reasons in accordance with AAA rules.

(B) Any internal disciplinary investigation not referred to internal affairs must be completed with a decision issued by the Chief within one hundred twenty (120) days of its inception. The one hundred and twenty (120) day timeline shall not apply in cases involving an arrest or in circumstances where the investigation cannot be completed within the one hundred and twenty (120) day timeline for legitimate business

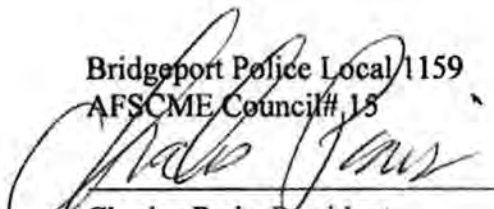
reasons. A hearing shall be noticed by the Chief within fourteen (14) days of his receipt of the investigation report. In the event the City alleges that it cannot meet the one hundred and twenty (120) day deadline due to legitimate business reasons, it shall provide these reasons to the Union in writing. The Union shall have the right to file for expedited arbitration with the American Arbitration Association ("AAA") on the sole issue of legitimate business reasons in accordance with AAA rules.

5, The Union and the City agree that all references to the phrase "suspension with pay" contained in the Agreement shall be changed to "administrative leave with pay."

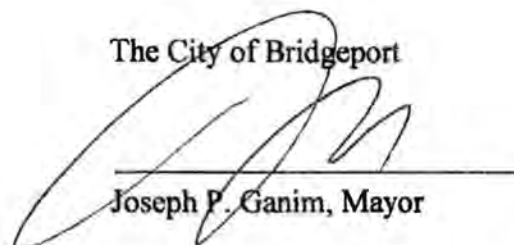
6. All contract language not referenced in this Tentative Agreement shall remain in the new collective bargaining agreement unchanged.

7. This Tentative Agreement is subject to the ratification of the City and the Union.

Dated this __ day of December 2017

Bridgeport Police Local 1159
AFSCME Council # 15

Charles Paris, President

12-19-17
Date

The City of Bridgeport

Joseph P. Ganim, Mayor

12/20/17
Date

ARTICLE 25

MINIMUM PAY FOR CALL BACK AND OFF-DUTY ARRESTS AND OFF-DUTY COURT

Section 25.1 - Whenever the Police Department requires the services of any members of the department and recalls this member to duty, after he or she has completed his or her regular tour of duty, he or she shall be paid for a minimum of four (4) hours of such recall at the rate of time and one-half (1 1/2) the hourly rate of pay.

Section 25.2 - Each such officer recalled to duty on his or her regularly scheduled day off shall be paid a minimum of four (4) hours pay for such recall at the rate of time and one-half (1 1/2) the hourly rate of pay.

Section 25.3 - Should the recall be directly connected to his or her regular tour of duty he or she shall be paid for the hours worked in excess of his regular tour at the rate of time and one-half (1 1/2) the hourly rate of pay.

Section 25.4 - Whenever any member of this department, while off-duty, make an arrest, or a juvenile referral, and is required to come to the station house to complete the arrest and write his reports he shall be paid for such work. His superior officer will note the time of arrest and time of completion and submit his name for payment on the overtime sheet, for no less than a minimum of four (4) hours. The payment of recall pay and off-duty arrest will be pursuant to Article 14, Overtime Pay.

Section 25.5 - The day-off is calculated from midnight to midnight. Anytime during this period, if any employee is recalled to duty, he shall be entitled to a minimum of four (4) hours pay calculated as per Article 14, Overtime Pay.

Section 25.6 - After being recalled one day off and he is held beyond midnight, of such recall day, and the second day is also a day off, he then shall get paid for each such hour, or fraction thereof, in addition to the four (4) hours minimum for recall day, provided it is directly connected to the recall period.

Section 25.7 - If he is sent home and is again recalled, on the second day of his scheduled day off, then he again shall be entitled to a minimum of four (4) hours pay as per Article 14, Overtime Pay.

Section 25.8 - No member of this department shall be recalled to duty during or while he is on vacation, by any officer of this Department. Such officer may request his recall and it shall not be binding upon such member to return to duty, but may return at his own option.

Section 25.9 - Nothing in this Article shall prevent the Chief of Police or his designee from ordering all employees back to duty in an emergency.

Section 25.10 - Members of the Department who are subpoenaed for court appearance while off duty or for testimony while off duty by the State Liquor Control Authority, the Department of Motor Vehicles on DWI cases, the Board of Firearms and Permit Examiners on permits, and in other situations as determined by the Chief in his absolute discretion if the testimony directly relates to the officer's performance of police duties or activities shall be paid in the following manner:

(A) All officers shall be required to have the reverse side of the subpoena time stamped and signed by the state's attorney, assistant state's attorney or inspector (or court advocate at the juvenile court or Commissioner or designee of the above referenced state agencies) and returned to their commanding officer within five (5) days from the appearance date. This procedure is mandatory in order for payment to be made.

(B) Officers shall directly receive the court time payment made by the judicial department. This payment shall be the full and only payment made to the officer for the first full hour of court time or portion thereof. In the event that this court time payment is less than time and one-half the hourly rate (when required) for any member of this bargaining unit the City should compensate the officer for the difference.

(C) All court time worked after the first hour shall be paid at time and one-half (1 1/2) as and if required by the collective bargaining agreement for each hour worked.

(D) Officers working court time shall have the option of working the full hour or eight hours tour of duty as required by the collective bargaining agreement. Officers who wish to exercise this option shall advise their commanding officer as soon as this decision is made. Patrol officers working the extended tour duty shall report for duty in the uniform of the day. All officers shall report to their commanding

officer immediately upon being released from court.

Section 25.11 - The City shall adopt a policy that members of the Department who are subpoenaed for depositions or in civil actions for testimony relating to their duties as an employee of the City should be paid by the party issuing the subpoena for all such testimony, including travel, waiting and other time at the overtime rate of pay with a minimum payment of four (4) hours. The City shall provide a copy of the policy to the Union so that the Union may issue mail a notification of this policy to the party issuing the subpoena. The City shall have no responsibility to enforce the policy or to make payment to the officer if the party issuing the subpoena does not make payment.



JOSEPH P. GANIM
Mayor

CITY OF BRIDGEPORT ENGINEERING DEPARTMENT

CITY HALL - 45 Lyon Terrace
Bridgeport, Connecticut 06604-4023
Telephone (203)576-7211
Fax (203) 576-7154

JON URQUIDI
City Engineer

January 2, 2018

COMM. #32-17 Ref'd to Public Safety & Transportation Committee On 01/16/2018

Honorable Body of the City Council
Bridgeport, Connecticut

Re: **Memorandum of Agreement**
State Project 15-335 Federal Aid Project 127(001)
State Route 127 - East Main Street Safety Improvements at Evers Street


Ladies and Gentlemen:

The City of Bridgeport Engineering Department has reviewed the above-mentioned project for safety improvements along East Main Street in the City of Bridgeport with the Department of Transportation. The improvements will increase pedestrian and vehicular safety along East Main Street by the reduction in vertical sight distance on the curve and installation of sidewalks along Beardsley Park. As part of the project the Connecticut State Historic Preservation Office (CTSHPO) is requiring the installation of commemorative monument in the park adjacent to the construction work. The attached Memorandum of Agreement (MOA) stipulates that the City will maintain the monument. We have reviewed this with the City Attorney's office and they have no issue with our participation. Public facilities has agreed to the maintenance of the proposed monument.

We are, therefore, requesting that the City Council approve the attached MOA and authorize Mayor Joseph Ganim to sign this and any other documents and agreements necessary for the City to assist the State in the construction of these important safety improvements.

Should you have any questions regarding the above, please do not hesitate to contact us.

Very truly yours,


Jon Urquidi, PE
City Engineer

Enclosures

c: Mayor Joseph Ganim
John Ricci, Public Facilities
Jose Tiago, Public Facilities

RECEIVED
CITY CLERKS OFFICE
18 JAN -3 PM 1:41
ATTEST
CITY CLERK

MEMORANDUM OF AGREEMENT

**Between the Federal Highway Administration,
the Connecticut State Historic Preservation Office,
Connecticut Department of Transportation, Connecticut Department of Energy and
Environmental Protection, and the City of Bridgeport,
Regarding Route 127 Safety Improvements at Evers Street
in the City of Bridgeport, Connecticut**

**Federal Aid Project Number 0127(001)
State Project Number 15-335**

Submitted Pursuant to 36 CFR §800.6(a)

WHEREAS, the Connecticut Department of Transportation (hereafter, CTDOT) proposes to improve safety at the intersection Route 127 (East Main Street) at Evers Street adjacent to Beardsley Park in the City of Bridgeport by grading road shoulders and adjusting vertical and horizontal road profiles (hereafter, PROJECT); and,

WHEREAS, the CTDOT seeks funding from the Federal Highway Administration (FHWA) to support the PROJECT; and,

WHEREAS, the CTDOT Office of Environmental Planning (OEP) provides cultural resources expertise to FHWA under a standing programmatic agreement with the Connecticut State Historic Preservation Office (CTSHPO); and,

WHEREAS, the proposed project involves replacement of trees, installation of sidewalks and walkways, drainage improvements, grading and temporary construction areas, and partial removal of four natural rock ledges to improve line-of-sight within Beardsley Park (hereafter PARK); and,

WHEREAS, CTDOT has developed a plan to implement the restoration of aesthetic landscape features such as topography, rock cuts & placement, tree & low plantings and seeding in disturbed areas within the PARK; and,

WHEREAS, the PARK is listed upon the National Register of Historic Places, significant as a 19th Century naturalistic open space designed by prominent American landscape architect Frederick Law Olmsted; and,

WHEREAS, FHWA has consulted with CTSHPO pursuant to 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. §470f), regarding the anticipated effects of the PROJECT; and,

WHEREAS, FHWA, CTSHPO, and OEP find that execution of the PROJECT will have an Adverse Effect upon the PARK by virtue of reducing natural rock ledges contributing to the natural landscape intentionally incorporated into the open space by Olmsted; and,

WHEREAS, FHWA consulted with Federally-recognized Tribes pursuant to 36 CFR Part 800, with regard to the PROJECT between December of 2012 and August of 2017, several of whom expressed concern about a particular stone arrangement on the back side of one of the rock ledges; and,

WHEREAS, in a transmission dated July 8th, 2016, FHWA notified the Advisory Council on Historic Preservation (ACHP) of its Adverse Effect determination and invited ACHP to participate in the consultation regarding the resolution of those adverse effects; and,

WHEREAS, in a letter dated July 14th, 2016, the ACHP notified FHWA of its decision not to participate in the consultation; and,

WHEREAS, the PARK is owned by the Connecticut Department of Energy and Environmental Protection (hereafter, CT DEEP); and,

WHEREAS, the PARK is maintained by the City of Bridgeport (hereafter, CITY); and,

NOW, THEREFORE, FHWA, CTSHP, CTDOT, CT DEEP and the CITY agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the PROJECT on properties of historic significance:

STIPULATIONS

FHWA, CTDOT and the CITY will ensure that the following measures are carried out under this agreement:

1. CTDOT will provide for development of a scholarly treatment of Frederick Law Olmsted's early life and influence on the anti-slavery movement of the 19th Century.
2. CTDOT will construct a commemorative monument recognizing the historic relationship of the PARK to Frederick Law Olmsted bearing his likeness and a description of his relationship to the resource.
3. OEP, in consultation with CT SHPO, will be responsible for design of said monument.
4. Fulfillment of the above stipulations shall not result in an expenditure of over \$100,000.
5. The CITY will be responsible for preservation, maintenance and repair of the commemorative monument in perpetuity.
6. The stone arrangement of concern to the Tribes shall not be disturbed during construction. If for any reason the stone arrangement collapses during construction, the collapsed stones shall not be moved until FHWA consults with the appropriate Tribes.

I. DISPUTE RESOLUTION

Should any of the parties fail to agree on the terms of this Memorandum of Agreement (MOA), FHWA shall request that the ACHP join the consultation and shall provide them with the documentation set forth in 36 CFR §800.11(g).

- a. If ACHP decides not to join the consultation, ACHP will notify FHWA and will proceed to comment in accordance with 36 CFR §800.7(c).
- b. If ACHP decides to participate in the consultation, FHWA shall consult with CTSHPO, ACHP, and other consulting parties to seek ways to avoid, minimize or mitigate the Adverse Effects.

II. REPORTING FULFILLMENT OF STIPULATIONS

CTDOT shall provide all parties to this MOA notification via email or letter when all stipulations of this MOA have been fully satisfied.

III. AMENDMENTS

If any signatory to this MOA believes that this MOA should be amended, that signatory may propose amendments to the other signatories, whereupon all signatories shall consult to consider the amendments pursuant to 36 CFR §800.6(e)(7) and §800.6(c)(8).

IV. TERMINATION

If FHWA determines that it cannot implement the terms of this MOA, or if CTSHPO determines that the MOA is not being properly implemented, either of these signatories may propose that the MOA be terminated. The signatory proposing termination shall notify the other parties to the MOA explaining the reasons for termination and affording these other parties at least thirty (30) days notice to consult and seek alternatives to termination. At that time, the parties shall consult.

- a. Should such consultation fail, either FHWA or CTSHPO may terminate this MOA by so notifying the other parties.
- b. In the event of termination, FHWA shall either consult in accordance with 36 CFR §800.6 to develop and execute a new MOA, or request ACHP to comment pursuant to 36 CFR §800.7.

V. DURATION OF THIS MOA

This MOA will expire if its terms are not carried out within ten (10) years from the date of its execution. Prior to such time, FHWA may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with the amendment process described in paragraph II.

V. EXECUTION OF MOA

Execution of this MOA by FHWA, CTSHPO, CTDOT, CT DEEP and the CITY, and implementation of its terms, evidences that:

- a. FHWA has afforded CTSHPO and opportunity to comment on the proposed undertaking and its potential impact on historic properties within the project area of potential effects.
- b. FHWA has taken into account the effects of the undertaking on historic properties and sites of archaeological and cultural significance.

SIGNATORIES

Participating:

FEDERAL HIGHWAY ADMINISTRATION

By: _____
Amy Jackson-Grove
Division Administrator, FHWA

Date: _____

CONNECTICUT STATE HISTORIC PRESERVATION OFFICE

By: _____ Date: _____

Catherine Labadia
Deputy State Historic Preservation Officer, DECD

STATE OF CONNECTICUT, DEPARTMENT OF TRANSPORTATION

By: _____

Date: _____

Thomas Maziarz
Bureau Chief, Policy and Planning, CTDOT

CITY OF BRIDGEPORT

By: _____
Joseph P. Ganim
Mayor, City of Bridgeport

Date: _____

**STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL
PROTECTION**

By: _____

Robert J. Klee
Department Commissioner, CT DEEP

Date: _____

CITY OF BRIDGEPORT
OFFICE OF THE CITY ATTORNEY

CITY ATTORNEY
R. Christopher Meyer

DEPUTY CITY ATTORNEY
John P. Bohannon, Jr.

ASSOCIATE CITY ATTORNEYS

Mark T. Anastasi
Richard G. Kascak, Jr.
Bruce L. Levin
John R. Mitola
Lawrence A. Ouellette, Jr.
Tyisha S. Toms
Lisa R. Trachtenburg

999 Broad Street
Bridgeport, CT 06604-4328



ASSISTANT CITY ATTORNEYS
Eroll V. Skyers
Tamara J. Titre

OF COUNSEL
Russell D. Liskov
Ronald J. Pacacha

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

**Comm. #33-17 Ref'd to Miscellaneous Matters Committee
on 01/16/2018**

January 8, 2018

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

Re: *Proposed Settlement of Pending Litigation in the Matter of Orlando Soto Conservator of the Estate of Israel Soto v. Joseph Gaudett, et al.*

Dear Councilpersons:

The Office of the City Attorney respectfully recommends the following pending lawsuit be settled. It is our professional opinion that resolving this matter for the consideration agreed to between the parties is in the best interests of the City of Bridgeport.

Plaintiff

Orlando Soto Conservator
Of the Estate of Israel Soto

Nature of Claim

Civil Litigation

Plaintiff's Attorneys

Michael P. Foley, Esq.
1120 South Main Street
P.O. Box 814
Cheshire, CT 06410

David K. Jaffe, Esq.
Brown, Paindiris & Scott, LLC
100 Pearl Street
Hartford, CT 06410

Kindly place this matter on the agenda for the City Council meeting on January 16, 2018 for referral to the Miscellaneous Matters Committee. Thank you for your assistance in this matter.

Very truly yours,

R. Christopher Meyer
City Attorney

cc: Joseph P. Ganim, Mayor
Lydia Martinez, City Clerk



OFFICE OF THE CITY CLERK RESOLUTION FORM

RECEIVED
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18 JAN 10 AM 8:58

ATTEST _____
CITY CLERK

SECTION I CITY COUNCIL SUBMISSION INFORMATION

Log ID/Item Number: 31-17
Submitted by Councilmember(s): Maria I. Valle
Co-Sponsors(s): Aidee Nieves
District: 137TH
Subject: Installation of Traffic Signal at Barnum Avenue and Hallet Street
Referred to: Board of Police Commissioners
City Council Date: January 16, 2018

SECTION II RESOLUTION (PLEASE TYPE BELOW)

WHEREAS, the City Council desires to ensure the safety and wellbeing of its citizens, inhabitants and all other persons travelling on the streets of Bridgeport; and

WHEREAS, Barnum Avenue, at its intersection with Hallett Street, is a major corridor and crossing point daily for neighborhood motor vehicle traffic, cut-through vehicle traffic and for large numbers of children and accompanying adults heading to the nearby Barnum School; and

WHEREAS, the intersection is also used daily by large numbers of commercial motor vehicles, light and heavy trucks, an increasing number of tractor trailers from a nearby driver training school as well as police, fire and emergency medical response vehicles answering calls for service; and

WHEREAS, in 2016 the Barnum Avenue and Hallett Street intersection was upgraded to include a crosswalk and signage to provide for the increased safety of local school children attempting to cross after parents and the crossing guard complained of the hazardous conditions there; and

WHEREAS, the East Side Neighborhood Revitalization Zone Strategic Plan calls for continued growth in this area and with the recent opening of single unit housing and multifamily housing at Crescent Crossings on Hallett Street the traffic volume and pedestrian activity at the Barnum Avenue and Hallett Street intersection has increased immensely and will continue to do so; and

WHEREAS, such rapid growth and change require a proactive approach such as installation of a traffic control light to manage the orderly movement of traffic and increase the traffic handling capacity of the Barnum Avenue and Hallett Street intersection as the area resurges; and

NOW, THEREFORE, BE IT RESOLVED by the Bridgeport City Council that the Board of Police Commissioners direct the City Engineer to conduct a study of traffic conditions, traffic volume and pedestrian activity at the Barnum Avenue and Hallett Street intersection and take into consideration the changes that have occurred and will occur in the future and recommend that a traffic control signal be installed at the intersection of Barnum Avenue and Hallett Street.

-Attachments-



OFFICE OF THE CITY CLERK RESOLUTION FORM

SECTION III SUBSEQUENT REFERRALS/REPLIES AND DATE SENT/RECEIVED

DEPARTMENT	Referral date sent	Response Received	Date reply received
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
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Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	

SECTION IV PUBLIC HEARING INFORMATION

Public Hearing Required	Details	Date
<input type="checkbox"/> Yes <input type="checkbox"/> No	Public Hearing Ordered on: CT Post Publication Date(s): Public Hearing Held on:	

SECTION V AMENDMENTS/EXHIBITS

Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
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SECTION VI COMMITTEE ACTION/APPROVAL INFORMATION

Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:

SECTION VII WITHDRAWN/SINE DIE INFORMATION

Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
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SECTION VIII DATE OF APPROVAL/DENIAL FROM CITY COUNCIL

City Council Approval Date: _____

SECTION IX COMMENTS (if any)



Google recommends using Chrome

Yes

No thanks

File Edit View Favorites Tools Help

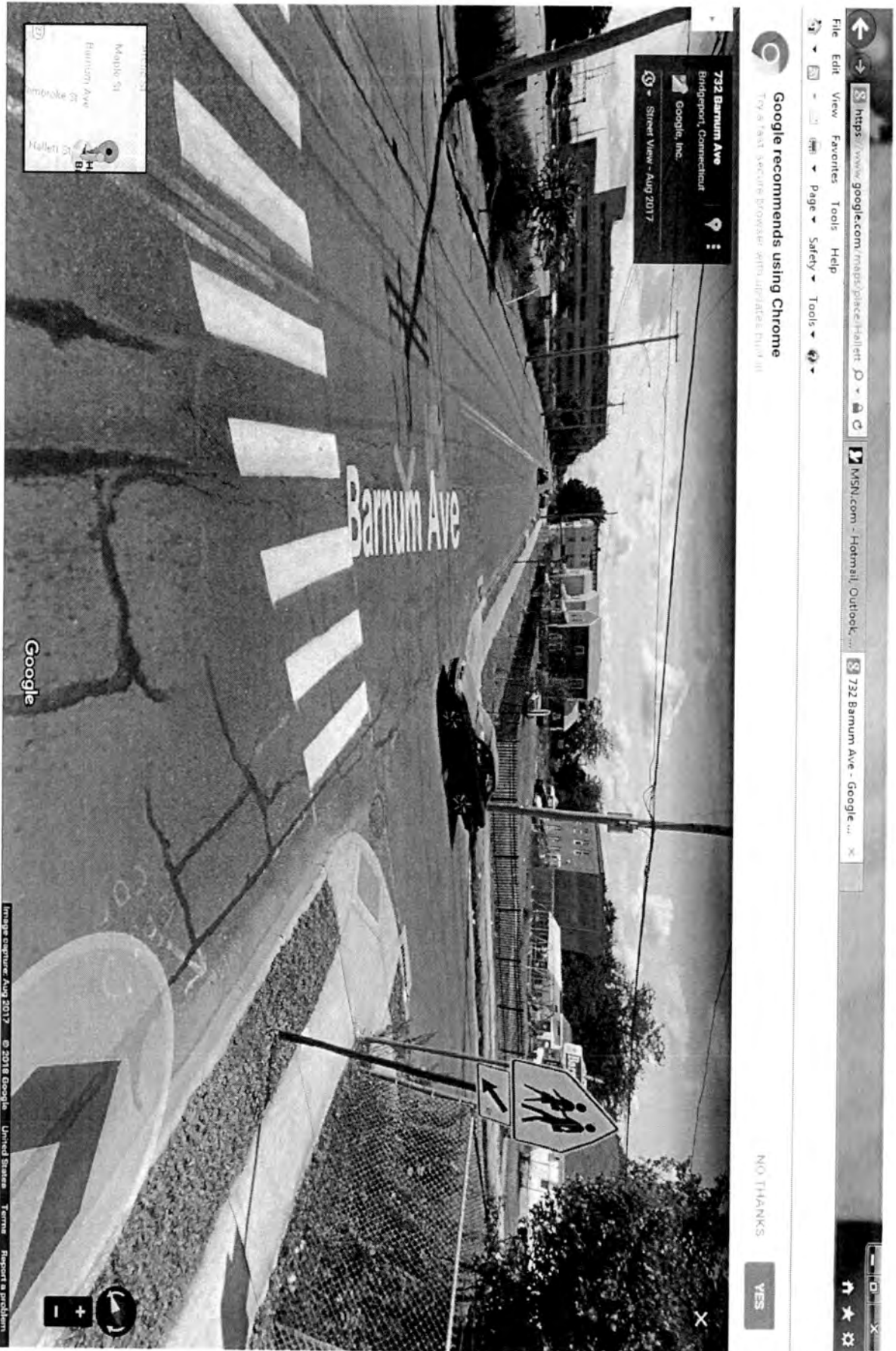
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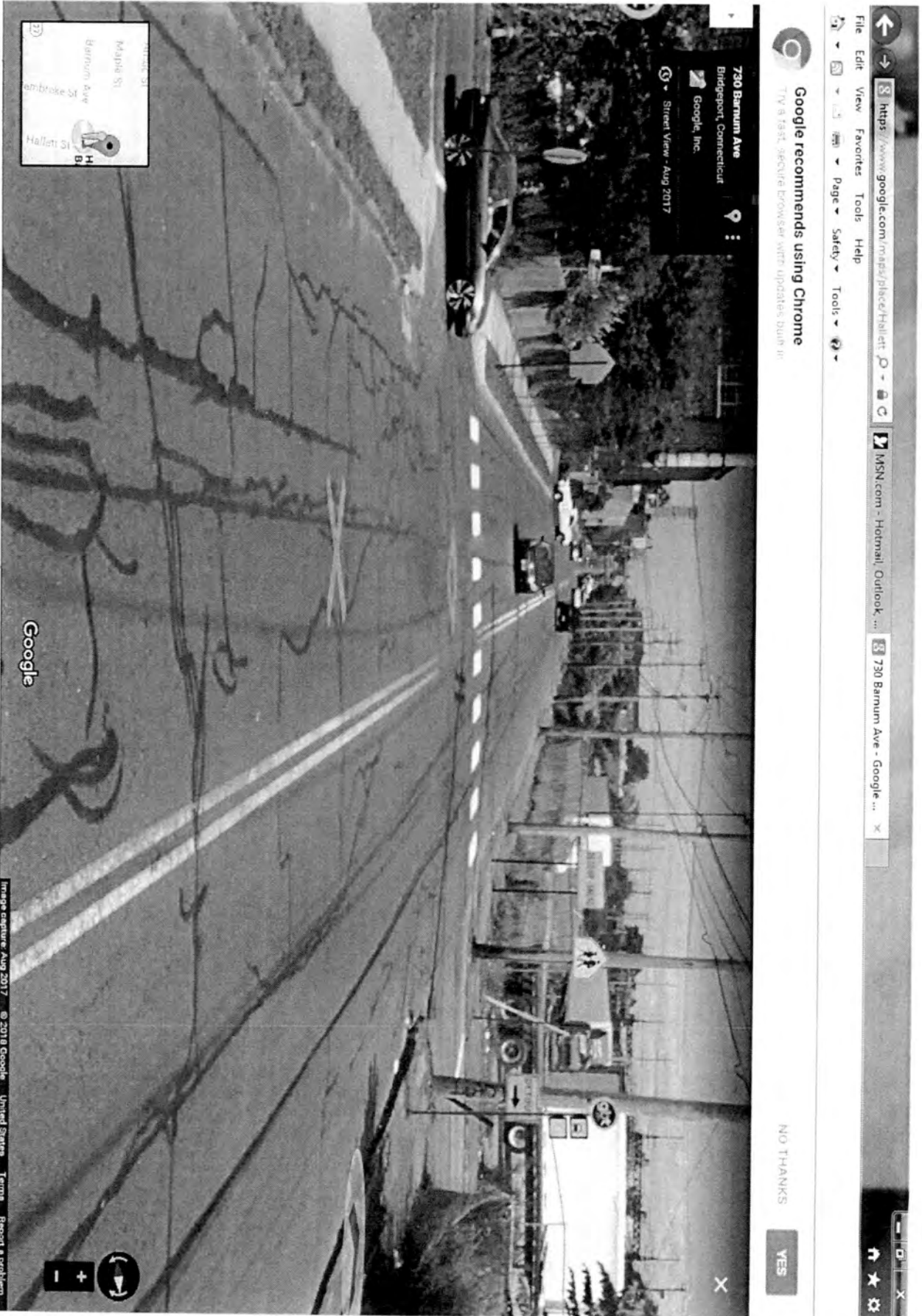
https://www.google.com/maps/place/Hallett... MSN.com - Hotmail, Outlook... 732 Barnum Ave - Google...

Google recommends using Chrome
Try a fast, secure browser with updates built in!

732 Barnum Ave
Bridgewater, Connecticut
Google, Inc.
Street View - Aug 2017

NO THANKS YES

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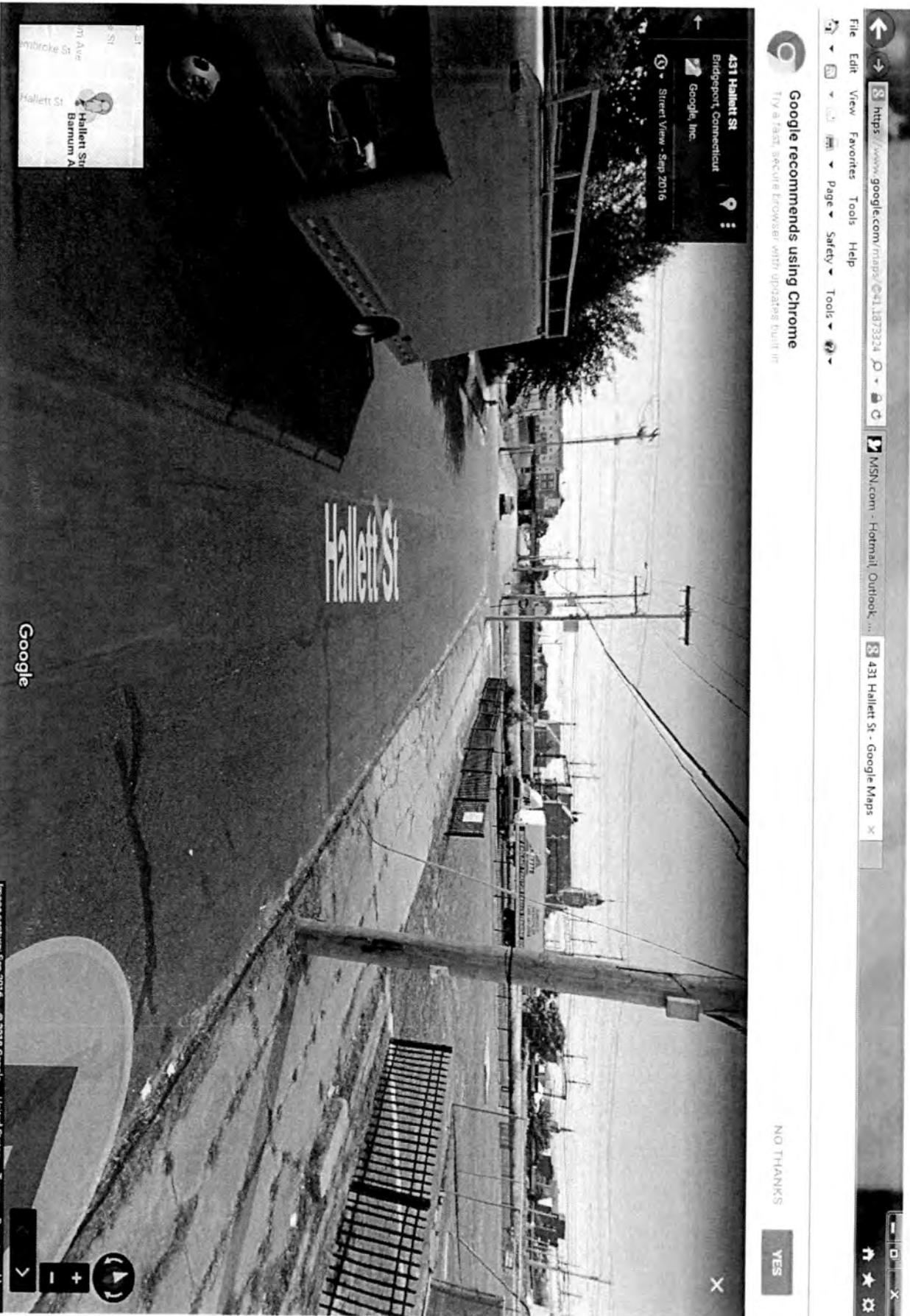
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https://www.google.com/maps/place/Hallett
MSN.com - Hotmail, Outlook, ...
730 Barnum Ave - Google ...

NO THANKS YES

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NO THANKS YES

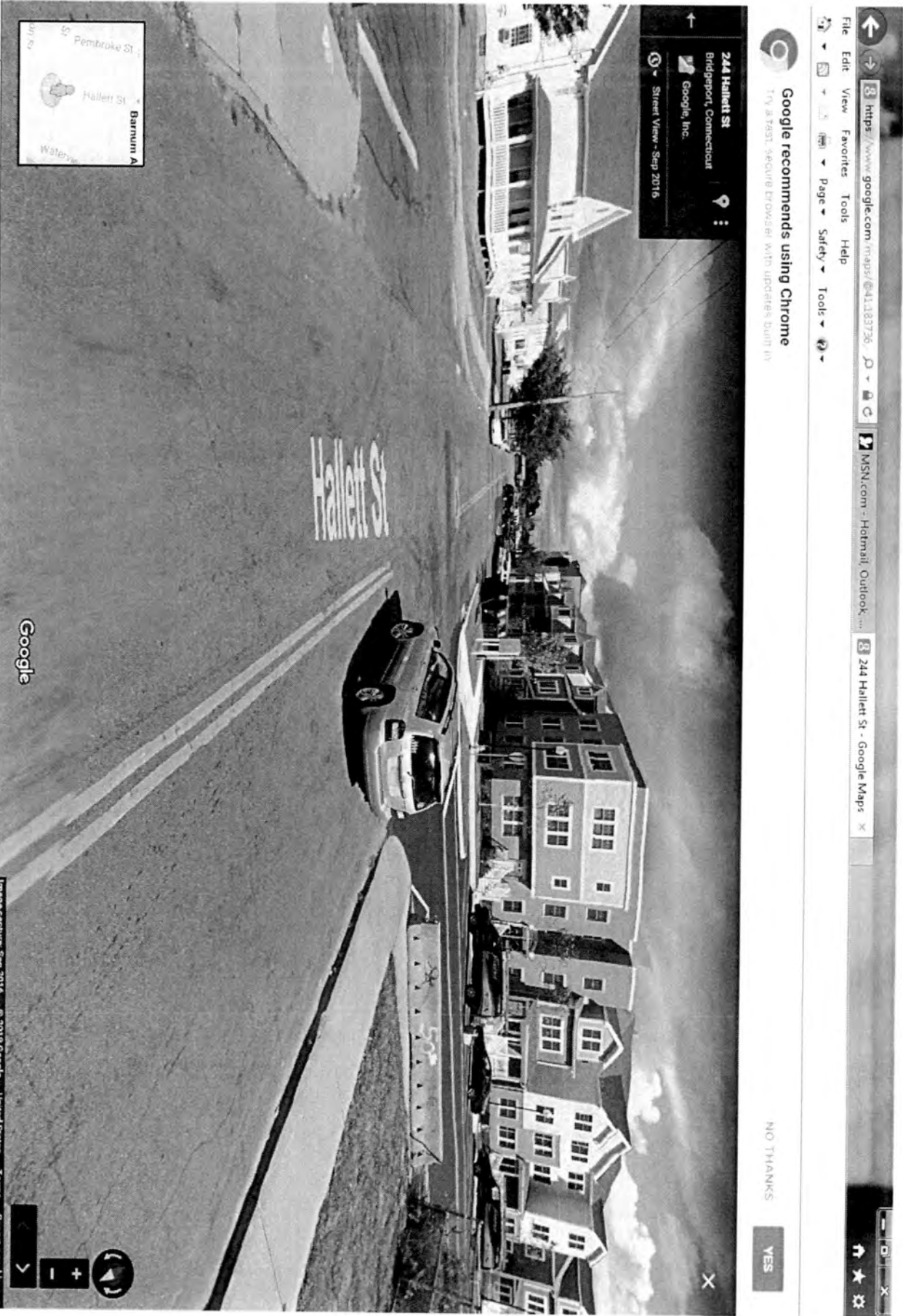


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CITY CLERK'S OFFICE
19 MAY 30 AM 10:33

Ernest E. Newton II
Bridgeport City Council Member
139th District

May 30, 2019

Dear City Clerk's Office:

As stated at the at the Ordinance Committee Meeting on May 29, 2019 I withdraw the following submission, **Item #34-17 (Ref. #141-16)**.

Sincerely,

Ernest E. Newton II

Ernest E. Newton II
Co-Chair Committee on Contracts
Co-Chair Committee for Community Development Block Grant
Member Committee on Ordinances
Member Committee on Public Safety and Transportation
Council Liaison to Water Pollution Control Authority
Cell Phone: (475) 225-6769
Email: Ernest.Newton@bridgeportct.gov



**OFFICE OF THE CITY CLERK
RESOLUTION FORM**

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18 JAN -9 AM 9:24

ATTEST _____

SECTION I CITY COUNCIL SUBMISSION INFORMATION

Log ID/Item Number: 34-17 (Ref. #141-16)
Submitted by Councilmember(s): Ernest E. Newton
Co-Sponsors(s): Eneida L. Martinez
District: 139TH
Subject: Reversing the 2017 Amendments to Chapter 3.20 of the Municipal Code – Tax Incentive Development Program
Referred to: Ordinance Committee
City Council Date: January 16, 2018

SECTION II RESOLUTION (PLEASE TYPE BELOW)

WHEREAS, as one of its last acts the 2015-2017 Bridgeport City Council on October 16, 2017 gave approval to Item 141-16 and amended Chapter 3.20 of the Municipal Code - Tax Incentive Development Program; and

WHEREAS, the changes introduced into Chapter 3.20 of the Municipal Code - Tax Incentive Development Program on October 16, 2017 removed the Bridgeport City Council from a crucial legislative oversight role in the Tax Incentive Development Program approval process; and

WHEREAS, by amending Chapter 3.20 of the Municipal Code – Tax Incentive Development Program the previous City Council improperly delegated its legislative responsibilities for protecting this city’s tax payers to the executive branch; and

NOW, THEREFORE BE IT RESOLVED by the Bridgeport City Council that the City Attorney provide the City Council with guidance on the process it needs to go through to reverse or repeal the most recent amendments to Chapter 3.20 of the Municipal Code – Tax Incentive Development Program including the drafting of any language in the format necessary to reverse or repeal the changes made to Chapter 3.20 of the Municipal Code -Tax Incentive Development Program on October 16, 2017.

Attached:

Item 141-16 and Chapter 3.20 of the Municipal Code -Tax Incentive Development Program



OFFICE OF THE CITY CLERK RESOLUTION FORM

SECTION III SUBSEQUENT REFERRALS/REPLIES AND DATE SENT/RECEIVED

DEPARTMENT	Referral date sent	Response Received	Date reply received
Choose an item		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item		<input type="checkbox"/> Yes <input type="checkbox"/> No	
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Choose an item		<input type="checkbox"/> Yes <input type="checkbox"/> No	

SECTION IV PUBLIC HEARING INFORMATION

Public Hearing Required	Details	Date
<input type="checkbox"/> Yes <input type="checkbox"/> No	Public Hearing Ordered on: CT Post Publication Date(s): Public Hearing Held on:	

SECTION V AMENDMENTS/EXHIBITS

Choose an item	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
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SECTION VI COMMITTEE ACTION/APPROVAL INFORMATION

Choose an item	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
Choose an item	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
Choose an item	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:

SECTION VII WITHDRAWN/SINE DIE INFORMATION

Choose an item	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
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SECTION VIII DATE OF APPROVAL/DENIAL FROM CITY COUNCIL

City Council Approval Date: _____

SECTION IX COMMENTS (if any)

Chapter 3.20 - TAX INCENTIVE DEVELOPMENT PROGRAM

Sections:

3.20.010 - Established.

Pursuant to Connecticut General Statutes as amended ("Statutes"), including but not limited to Section 7-480, et seq., the Connecticut City and Town Development Act and more specifically, Section 7-498 of that Act; Section 12-65b; and Section 32-70, et seq., the Enterprise Zones Act, more specifically Section 32-71(e) of that act; the ordinance codified in this chapter establishes a tax incentive development program for the city.

(Ord. dated 10/15/90 (part): prior code § 24-170)

(Ord. dated 10/16/17)

3.20.020 - Program administration.

- A. Except for the establishment of property assessments as governed by the statutes of the state of Connecticut and the charter and ordinances of the city, the director of the office of planning and economic development (OPED) shall administer this tax incentive program.
- B. The attached policies and procedures, dated September 13, 2017 and entitled "Exhibit A - OPED - Tax Incentive Development Policy and Affordable Housing Tax Incentive Development Policy," (the "Policy") are hereby adopted and approved by the City Council.

(Ord. dated 10/15/90 (part): prior code § 24-171)

(Ord. dated 10/16/17)

3.20.030 - Eligibility criteria.

- A. Projects eligible for assistance under this chapter shall be for one of the following uses: office; retail; manufacturing; industrial; residential, if for rental use or low and moderate income (as defined by U.S. Dept. of H.U.D.) owner occupied units; transient residential, hotel/motel; warehousing, storage or distribution; and multilevel parking structures.
- B. Projects pursuant to Section 7-498 and 12-65b of the Statutes must have a minimum of three million dollars (\$3,000,000.00) in estimated costs of construction or rehabilitation, excluding the costs of real property acquisition.
- C. Projects pursuant to Section 32-71(e) of the Statutes within the enterprise zone as defined in ordinances of the city must have a minimum of one million dollars (\$1,000,000.00) in estimated costs of construction, rehabilitation and/or machinery and equipment, excluding the costs of real property acquisition.
- D. For purposes of this chapter, a project shall further be defined as being a property or group of adjacent properties for which an applicant:
 - 1. Has a plan of development compatible with the city's master plan;
 - 2. Can show ownership or an option to own the property(ies) to accomplish the goals of the project plan; and
 - 3. Can meet the time-to-construct standards of Section 3.20.060.B.

- E. Developers or program participants seeking any benefit, part or whole, under the provisions of this chapter must show full inclusion of minority representation in the procurement of development contracts pursuant to each project seeking benefit (i.e., blacks, Hispanics and women).
- F. Developers or program participants in the tax incentive development program shall undertake affirmative action measures designed to eliminate any discriminating barriers in the terms and conditions of employment on the grounds of race, color, creed, national origin, ancestry or sex. Developers or program participants shall take affirmative action to involve minority contractors in the construction of projects receiving property tax incentives pursuant to this chapter. Program participants and/or their general contractors shall notify appropriate minority trade publications and minority contractors associations of the subcontract opportunities. Program participants and/or their general contractors shall retain documentation of these notification attempts.
- G. In the event twenty (20) percent of the dollar value of total constructions costs is not awarded to minority- or women-owned contracting businesses, program participants and/or their general contractors shall be required to demonstrate that an extensive search for minority contractors has taken place for those elements of the project which have already been contracted. This chapter will apply in the absence of an affirmative action clause not already included by any of the following financing sources: U.S. Department of Housing and Urban Development, Connecticut Housing Finance Authority, State of Connecticut Department of Housing and the city of Bridgeport.
- H. Waivers. Developers and/or program participants may receive waivers to the twenty (20) percent set-aside goal if they can demonstrate through documentation of any of the following:
 1. The unavailability of certified disadvantaged business enterprises and/or women business enterprises to perform the subcontracting work required under the contract;
 2. That prices submitted by all available and certified disadvantaged business enterprises or women business enterprises exceed those submitted by nondisadvantaged business enterprises and women business enterprises, and that such excessive price is not the result of present effect or discrimination;
 3. That it is economically or otherwise impractical for the contractor to break down the contract into subcontracts that would meet the set-aside goals; or
 4. That the needed goods and services can only be provided by one source which is not a disadvantaged business enterprise or women business enterprise.

Initial waiver decisions will be made by the contract compliance officer and affirmative action officer subject to appeal to the common council.

(Ord. dated 5/6/91; Ord. dated 10/15/90 (part); prior code § 24-172)

(Ord. dated 4/1/13; Ord. dated 10/16/17)

3.20.040 - Economic justification.

- A. OPED shall subject all requests for assistance under this chapter to an economic pro forma analysis that will include, but not be limited to, the following factors: average construction costs of like structures, interest rates, vacancy and absorption rates, developer fees, market rents and pricing, comparable tax liabilities within the region, returns on cash and equity and such additional costs as may be associated with the development.
- B. In the event the applicant's request for assistance exceeds in extent of subsidy that amount which is determined to be fair and reasonable by OPED through economic analysis, OPED may grant greater assistance while also negotiating a recapture of the revenue foregone. Such funds recaptured shall, at a minimum, approximate the difference between OPED's determination of fair and reasonable subsidy and the final award of subsidy.

- C. The intent of subsection A. of this section is to determine that: "but for" the assistance provided by this chapter, the project could not be built.

(Ord. dated 10/15/90 (part): prior code § 24-173)

(Ord. dated 10/16/17)

3.20.050 - Public benefits.

- A. All projects receiving assistance under this chapter shall comply with the public benefits test which shall include local land use and building regulation.
- B. OPED shall establish policies that consider such other public benefits/costs as, but not be limited to: parking impact, job generation, design standards, neighborhood impact, public service demand, and consistency with the city's adopted master development plan or other area specific development plans such as the downtown design district.

(Ord. dated 10/15/90 (part): prior code § 24-174)

(Ord. dated 10/16/17)

3.20.060 - Miscellaneous provisions.

- A. No property governed by a tax agreement shall generate less in property taxes or revenue in any year of the tax agreement than is received in the year prior to start of the tax agreement. This provision may be waived upon the following findings of the OPED director: 1) The project involves the adaptive reuse of the existing structure, or structures for commercial, industrial or mixed-use residential purposes; 2) The property has experienced significant vacancy for a period of five or more years prior to application for a tax incentive; 3) The project entails a construction cost investment (a) in excess of five million dollars (\$5,000,000.00) and (b) at least one and one-half the pre-project assessed value of the development property.
- B. Construction shall begin within two years and be substantially completed within four years of the granting of the tax agreement or such agreement shall terminate. Extensions may be granted by subsequent approval of the common council.
- C. Tax incentive development agreements in compliance with this section shall be recorded against title to, and conveyed with, the property, provided that each successive owner of the property, including those who acquire a controlling interest in the entity owning the property, accepts and assumes all of the original applicant's obligations to be performed under such tax incentive development agreement, demonstrates its ability to carry out such obligations, and executes an agreement with OPED to be recorded on the land records. OPED may consent to such assignment in the exercise of its commercial business judgment, reasonably exercised.
- D. In order to become effective, tax incentive development agreements and any subsequent and related tax, payback or recapture agreements shall be recorded on the land records of the city.
- E. All projects awarded a tax incentive development agreement shall comply with all statutes, orders, ordinances, rules and regulations regarding civil rights, equal opportunity and affirmative action.
- F. Tax incentive development agreements and all nonexempt information submitted to OPED by the applicant shall be subject to the Connecticut Freedom of Information Act, as amended, Section 1-15 et seq.
- G. Once an application meets the eligibility criteria, public benefits and economic analysis tests established by OPED in accordance with this chapter, OPED shall make a determination as to the extent of tax incentive to be granted to a particular project and shall submit the tax incentive

development agreement to the Mayor for execution in accordance with the Policy adopted by the City Council per 3.20.020.B. No tax incentive exceeding that set forth in the Policy adopted by the City Council may be granted by OPED without final approval of the City Council, in which case the initial application must be forwarded to the City Council with a written report from OPED explaining OPED's rationale for recommending the tax incentive development agreement.

- H. Upon completion of construction, OPED shall secure a certification of the costs to construct the facility(ies) comprising the project receiving the tax incentive development agreement. If the costs are less than ninety-five (95) percent of the total costs identified in the economic analysis used to determine the tax incentive development agreement's value, OPED shall make an adjustment to the tax incentive development agreement to reflect such cost differential. The tax incentive development agreement shall not be effective until a certificate of costs is received.
- I. An applicant for a tax incentive development agreement who is able to demonstrate negotiations within the city or its agencies prior to the adoption of the ordinance codified in this chapter by written proof of letter from the city, may be considered for special exemptions to this chapter by the common council. This subsection providing for special exemptions shall expire on December 31, 1990.

(Ord. dated 4/2/01; Ord. dated 1/4/99; Ord. dated 10/15/90 (part): prior code § 24-175)

(Ord. dated 4/1/13 ; Ord. dated 11/4/13 ; Ord. dated 10/16/17)

3.20.070 - Two-year tax incentive bonus areas.

- A. Eligible Projects. It shall be the policy of the city to offer, as a special development incentive from the date of enactment of the ordinance codified in this chapter, until December 31, 1992, in limited geographic areas of the city as outlined in subsection C of this section for commercial and residential projects meeting or exceeding twenty million dollars (\$20,000,000.00) in the costs of construction or rehabilitation exclusive of real property acquisition, and that comply with criteria established in or for Sections 3.20.030, 3.20.050 and 3.20.060, a tax fixing development agreement equal to one hundred (100) percent exemption of the increased assessment attributable to the improvements for a period of five years from the granting of the permanent certificate of occupancy.
- B. Economic Justification. During the special development window, projects meeting the eligibility criteria established in subsection A of this section shall be exempt from Section 3.20.040.
- C. Geographic Area. Areas eligible for this special program shall be located only in the "downtown" and "lower east side" as defined by that area within the following boundaries: "downtown": as defined by that area bounded on the north by Washington Avenue, on the west by Route 8/25 highway, on the south by the Interstate-95 highway and on the east by the Bridgeport Harbor/Pequonnock Riverfront; and in the "lower east side": as defined by that area bounded on the north by the Metro-North Railroad, on the east by the Yellow Mill Pond and south and west by the Bridgeport Harbor/Pequonnock Riverfront.
- D. Other Projects and Areas. It is not the intent of this special program to exclude tax incentive contracts in other areas of the city of projects with costs ranging from three million dollars (\$3,000,000.00) to twenty million dollars (\$20,000,000.00). Such other projects may remain eligible for some level of benefits as determined by OPED economic analysis and public benefits tests as provided for in Sections 3.20.010 through 3.20.060 of this chapter.
- E. Eighteen-Month Review. OPED shall present a report on the usefulness of the special two-year tax incentive bonus areas program within eighteen (18) months of its enactment for the review of the common council.

(Ord. dated 10/15/90 (part): prior code § 24-176)

(Ord. dated 10/16/17)

Item# *141-16 Consent Calendar

Amendments to the Municipal Code of Ordinances,
amend Chapter 3.20 - Tax Incentive Development
Program.



Report
of
Committee
on
Ordinances

City Council Meeting Date: October 16, 2017

Attest: Lydia N. Martinez

Lydia N. Martinez, City Clerk

Approved by:

Joseph P. Ganim, Mayor

Date Signed: 10/19/17

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City of Bridgeport, Connecticut

Office of the City Clerk

To the City Council of the City of Bridgeport:

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

Item No. 141-16

Resolution Amending Chapter 3.20 of the Municipal Code

WHEREAS, Chapter 3.20 of the Bridgeport Municipal Code (the "Ordinance") establishes a "Tax Incentive Development Program" (the "Program") to promote development and increase tax revenue for the City;

WHEREAS, Section 3.20.020(A) of the Ordinance charges the Director of the City's Office of Planning and Economic Development ("OPED") with the responsibility of administering the Program;

WHEREAS, pursuant to Sec 3.20.020(B) of the Ordinance, OPED has established uniform and consistent policies, procedures and forms by which to administer the Ordinance (such policies, procedures, and forms attached hereto as Exhibit A - OPED Tax Incentive Development Policy and Affordable Housing Tax Incentive Development Policy - Dated 9-13-17 -- and herein referred to as the "Policy");

WHEREAS, the Policy provides specific limiting parameters within which OPED must operate in its administration of the Program; and

WHEREAS, in order to maximize the tax revenue generated per the Policy, the Program must be administered in an efficient, transparent, and predictable manner.

NOW THEREFORE BE IT ORDAINED: By the City Council of the City of Bridgeport that, effective upon publication, the Municipal Code of Ordinances, Chapter 3.20. Tax Incentive Development Program, is hereby amended to read as follows:

Chapter 3.20 - TAX INCENTIVE DEVELOPMENT PROGRAM

Sections:

3.20.010 - Established.

Pursuant to Connecticut General Statutes as amended ("Statutes"), **including but not limited to** Section 7-480, et seq., the Connecticut City and Town Development Act and more specifically, Section 7-498 of that Act; Section 12-65b; and Section 32-70, et seq., the Enterprise Zones Act, more specifically Section 32-71(e) of that act; the ordinance codified in this chapter establishes a tax incentive development program for the city.

(Ord. dated 10/15/90 (part); prior code § 24-170)



City of Bridgeport, Connecticut

Office of the City Clerk

Report of Committee on Ordinances
Item No. 141-16

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3.20.020 - Program administration.

A. Except for the establishment of property assessments as governed by the statutes of the state of Connecticut and the charter and ordinances of the city, the director of the office of planning and **economic** development (OPED) shall administer this tax incentive program.

B. The attached policies and procedures, dated September 13, 2017 and entitled "Exhibit A - OPED - Tax Incentive Development Policy and Affordable Housing Tax Incentive Development Policy," (the "Policy") are hereby adopted and approved by the City Council.

~~[B. OPD shall establish uniform and consistent policies, procedures and forms to ensure compliance with this chapter, making such procedures, and forms publicly available within one hundred twenty (120) days of the enactment of this chapter.~~

~~C. The policies, procedures and forms shall be made available for public comment for a thirty (30) day period prior to their implementation and shall be approved by the common council through the office of the city clerk.~~

~~D. The applicant for a tax incentive shall submit a letter of request for such a tax incentive which shall disclose all principals of the applicant. The letter shall substantially conform to the federal redeveloper statement for public disclosure and the federal redeveloper's statement of qualifications and financial responsibility. The applicant must complete and file with OPDOPED all other necessary forms required by OPD.]~~

(Ord. dated 10/15/90 (part): prior code § 24-171)

3.20.030 - Eligibility criteria.

- A. Projects eligible for assistance under this chapter shall be for one of the following uses: office; retail; manufacturing; industrial; residential, if for rental use or low and moderate income (as defined by U.S. Dept. of H.U.D.) owner occupied units; transient residential, hotel/motel; warehousing, storage or distribution; and multilevel parking structures.
- B. Projects pursuant to Section 7-498 and 12-65b of the Statutes must have a minimum of three million dollars (\$3,000,000.00) in estimated costs of construction or rehabilitation, excluding the costs of real property acquisition.



City of Bridgeport, Connecticut

Office of the City Clerk

Report of Committee on Ordinances

Item No. 141-16

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- C. Projects pursuant to Section 32-71(e) of the Statutes within the enterprise zone as defined in ordinances of the city must have a minimum of one million dollars (\$1,000,000.00) in estimated costs of construction, rehabilitation and/or machinery and equipment, excluding the costs of real property acquisition.
- D. For purposes of this chapter, a project shall further be defined as being a property or group of adjacent properties for which an applicant:
 - 1. Has a plan of development compatible with the city's master plan;
 - 2. Can show ownership or an option to own the property(ies) to accomplish the goals of the project plan; and
 - 3. Can meet the time-to-construct standards of Section 3.20.060(B).
- E. Developers or program participants seeking any benefit, part or whole, under the provisions of this chapter must show full inclusion of minority representation in the procurement of development contracts pursuant to each project seeking benefit (i.e., blacks, hispanics and women).
- F. Developers or program participants in the tax incentive development program shall undertake affirmative action measures designed to eliminate any discriminating barriers in the terms and conditions of employment on the grounds of race, color, creed, national origin, ancestry or sex. Developers or program participants shall take affirmative action to involve minority contractors in the construction of projects receiving property tax incentives pursuant to this chapter. Program participants and/or their general contractors shall notify appropriate minority trade publications and minority contractors associations of the subcontract opportunities. Program participants and/or their general contractors shall retain documentation of these notification attempts.
- G. In the event twenty (20) percent of the dollar value of total constructions costs is not awarded to minority- or women-owned contracting businesses, program participants and/or their general contractors shall be required to demonstrate that an extensive search for minority contractors has taken place for those elements of the project which have already been contracted. This chapter will apply in the absence of an affirmative action clause not already included by any of the following financing sources: U.S. Department of Housing and Urban Development, Connecticut Housing Finance Authority, State of Connecticut Department of Housing and the city of Bridgeport.



City of Bridgeport, Connecticut

Office of the City Clerk

Report of Committee on Ordinances
Item No. 141-16

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- H. Waivers. Developers and/or program participants may receive waivers to the twenty (20) percent set-aside goal if they can demonstrate through documentation of any of the following:
1. The unavailability of certified disadvantaged business enterprises and/or women business enterprises to perform the subcontracting work required under the contract;
 2. That prices submitted by all available and certified disadvantaged business enterprises or women business enterprises exceed those submitted by nondisadvantaged business enterprises and women business enterprises, and that such excessive price is not the result of present effect or discrimination;
 3. That it is economically or otherwise impractical for the contractor to break down the contract into subcontracts that would meet the set-aside goals; or
 4. That the needed goods and services can only be provided by one source which is not a disadvantaged business enterprise or women business enterprise.

Initial waiver decisions will be made by the contract compliance officer and affirmative action officer subject to appeal to the common council.

(Ord. dated 5/6/91; Ord. dated 10/15/90 (part): prior code § 24-172)

(Ord. dated 4/1/13)

3.20.040 - Economic justification.

- A. OPDOPED shall subject all requests for assistance under this chapter to an economic pro forma analysis that will include, but not be limited to, the following factors: average construction costs of like structures, interest rates, vacancy and absorption rates, developer fees, market rents and pricing, comparable tax liabilities within the region, returns on cash and equity and such additional costs as may be associated with the development.
- B. In the event the applicant's request for assistance exceeds in extent of subsidy that amount which is determined to be fair and reasonable by OPDOPED through economic analysis, OPDOPED may grant greater assistance while also negotiating a recapture of the revenue foregone. Such funds recaptured shall, at a minimum, approximate the difference between OPDOPED's determination of fair and reasonable subsidy and the final award of subsidy.



City of Bridgeport, Connecticut

Office of the City Clerk

Report of Committee on Ordinances
Item No. 141-16

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- C. The intent of subsection A of this section is to determine that: "but for" the assistance provided by this chapter, the project could not be built.

(Ord. dated 10/15/90 (part): prior code § 24-173)

3.20.050 - Public benefits.

- A. All projects receiving assistance under this chapter shall comply with the public benefits test which shall include local land use and building regulation.
- B. OPED shall establish policies that consider such other public benefits/costs as, but not be limited to: parking impact, job generation, design standards, neighborhood impact, public service demand, and consistency with the city's adopted master development plan or other area specific development plans such as the downtown design district.

(Ord. dated 10/15/90 (part): prior code § 24-174)

3.20.060 - Miscellaneous provisions.

- A. No property governed by a tax agreement shall generate less in property taxes or revenue in any year of the tax agreement than is received in the year prior to start of the tax agreement. This provision may be waived upon the following findings of the OPED director: 1) The project involves the adaptive reuse of the existing structure, or structures for commercial, industrial or mixed-use residential purposes; 2) The property has experienced significant vacancy for a period of five or more years prior to application for a tax incentive; 3) The project entails a construction cost investment (a) in excess of five million dollars (\$5,000,000.00) and (b) at least one and one-half the pre-project assessed value of the development property.
- B. Construction shall begin within two years and be substantially completed within four years of the granting of the tax agreement or such agreement shall terminate. Extensions may be granted by subsequent approval of the common council.



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Office of the City Clerk

Report of Committee on Ordinances

Item No. 141-16

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- C. Tax incentive development agreements in compliance with this section shall be recorded against title to, and conveyed with, the property, provided that each successive owner of the property, including those who acquire a controlling interest in the entity owning the property, accepts and assumes all of the original applicant's obligations to be performed under such tax incentive development agreement, demonstrates its ability to carry out such obligations, and executes an agreement with OPED to be recorded on the land records. OPED may consent to such assignment in the exercise of its commercial business judgment, reasonably exercised.
- D. In order to become effective, tax incentive development agreements and any subsequent and related tax, payback or recapture agreements shall be recorded on the land records of the city.
- E. All projects awarded a tax incentive development agreement shall comply with all statutes, orders, ordinances, rules and regulations regarding civil rights, equal opportunity and affirmative action.
- F. Tax incentive development agreements and all nonexempt information submitted to ~~OPD~~**OPED** by the applicant shall be subject to the Connecticut Freedom of Information Act, as amended, Section 1-15 et seq.
- G. Once an application meets the eligibility criteria, public benefits and economic analysis tests established by ~~OPD~~**OPED** in accordance with this chapter, ~~{the application shall be forwarded with a report from OPD to the common council for final approval. The report shall explain OPD's rationale for granting and determining the extent of the tax incentive as well as identifying the portion of the tax fixing agreements value attributable to the economic analysis conducted in accordance with Section 3.20.040 and that value attributable to the public benefits gained as defined in Section 3.20.050}~~. **OPED shall make a determination as to the extent of tax incentive to be granted to a particular project and shall submit the tax incentive development agreement to the Mayor for execution in accordance with the Policy adopted by the City Council per 3.20.020(b). No tax incentive exceeding that set forth in the Policy adopted by the City Council may be granted by OPED without final approval of the City Council, in which case the initial application must be forwarded to the City Council with a written report from OPED explaining OPED's rationale for recommending the tax incentive development agreement.**



City of Bridgeport, Connecticut

Office of the City Clerk

Report of Committee on Ordinances

Item No. 141-16

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- H. Upon completion of construction, OPDOPED shall secure a certification of the costs to construct the facility(ies) comprising the project receiving the tax incentive development agreement. If the costs are less than ninety-five (95) percent of the total costs identified in the economic analysis used to determine the tax incentive development agreement's value, OPDOPED shall make an adjustment to the tax incentive development agreement to reflect such cost differential. The tax incentive development agreement shall not be effective until a certificate of costs is received.
- I. An applicant for a tax incentive development agreement who is able to demonstrate negotiations within the city or its agencies prior to the adoption of the ordinance codified in this chapter by written proof of letter from the city, may be considered for special exemptions to this chapter by the common council. This subsection providing for special exemptions shall expire on December 31, 1990.

(Ord. dated 4/2/01; Ord. dated 1/4/99; Ord. dated 10/15/90 (part): prior code § 24-175)

(Ord. dated 4/1/13; Ord. dated 11/4/13)

3.20.070 - Two-year tax incentive bonus areas.

- A. **Eligible Projects.** It shall be the policy of the city to offer, as a special development incentive from the date of enactment of the ordinance codified in this chapter, until December 31, 1992, in limited geographic areas of the city as outlined in subsection C of this section for commercial and residential projects meeting or exceeding twenty million dollars (\$20,000,000.00) in the costs of construction or rehabilitation exclusive of real property acquisition, and that comply with criteria established in or for Sections 3.20.030, 3.20.050 and 3.20.060, a tax fixing development agreement equal to one hundred (100) percent exemption of the increased assessment attributable to the improvements for a period of five years from the granting of the permanent certificate of occupancy.
- B. **Economic Justification.** During the special development window, projects meeting the eligibility criteria established in subsection A of this section shall be exempt from Section 3.20.040.



City of Bridgeport, Connecticut

Office of the City Clerk

Report of Committee on Ordinances
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- C. Geographic Area. Areas eligible for this special program shall be located only in the "downtown" and "lower east side" as defined by that area within the following boundaries: "downtown": as defined by that area bounded on the north by Washington Avenue, on the west by Route 8/25 highway, on the south by the Interstate-95 highway and on the east by the Bridgeport Harbor/Pequonnock Riverfront; and in the "lower east side": as defined by that area bounded on the north by the Metro-North Railroad, on the east by the Yellow Mill Pond and south and west by the Bridgeport Harbor/Pequonnock Riverfront.
- D. Other Projects and Areas. It is not the intent of this special program to exclude tax incentive contracts in other areas of the city of projects with costs ranging from three million dollars (\$3,000,000.00) to twenty million dollars (\$20,000,000.00). Such other projects may remain eligible for some level of benefits as determined by OPDOPED economic analysis and public benefits tests as provided for in Sections 3.20.010 through 3.20.060 of this chapter.
- E. Eighteen-Month Review. OPDOPED shall present a report on the usefulness of the special two-year tax incentive bonus areas program within eighteen (18) months of its enactment for the review of the common council.

(Ord. dated 10/15/90 (part): prior code § 24-176)



City of Bridgeport, Connecticut
Office of the City Clerk

Report of Committee on Ordinances
Item No. 141-16

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RESPECTFULLY SUBMITTED,
THE COMMITTEE ON
ORDINANCES

Eneida L. Martinez, D-139th, Co-Chair

Jose R. Casco, D-136th, Co-Chair

Michelle A. Lyons
Michelle A. Lyons, D-134th

Mary McBride-Lee
Mary McBride-Lee, D-135th

Kathryn M. Bukovsky
Kathryn M. Bukovsky, D-130th

Jack O. Banla
Jack O. Banla, D-131st

Richard D. Salter Sr.
Richard D. Salter, Sr., D-135th

City Council Date: October 16, 2017

EXHIBIT A

September 13, 2017
OPED
"Tax Incentive Development Policy"
and
"Affordable Housing Tax Incentive Development Policy"
for
Ch. 3.20 Municipal Code - Tax Incentive Development Program
and
Ch. 3.24 Municipal Code – Affordable Housing Tax Incentive Development Program

1)OPED Director shall administer these tax incentive development programs

-per Ch 3.20.020 (A) and Ch 3.24.020 (A)

2)Developers shall make application using standardized form

- per Ch. 3.20.020 (B) and Ch 3.24.020 (B)

- Form Shall Be: CHFA DOH Consolidated Application – (8-16-17), applicable sections, minimally:
- detailed development budget
 - detailed sources and uses of funds
 - 20 year operating pro-forma
 - (see form attached)

3)OPED shall follow standardized 3-step procedure for review of applications

Step 1: Initial Analysis for Completion of Application

Step 2: Financial Analysis – Economic Justification Analysis

Step 3: Calculation of Allowable Tax Payment Within Policy Parameters

- per Ch. 3.20.020 (B) and Ch 3.24.020 (B)

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3A) Step One of Review – Initial Review of Application for Completeness

Review of Developer's experience, standing, financial capacity to confirm:

- a) evidence of positive long-term banking relationships
- b) evidence of previous project completions
- c) absence of prejudicial litigation or judgments
- d) absence of city-developer litigation other than normal assessment appeal
- e) absence of non-compliance with any other city regulatory requirements
- f) evidence that applicant is current on all local tax and user fee obligations
- f) financial strength as evidenced by CPA-reviewed-quality financial statements (2 years)

Review of Completeness of Development Proposal to confirm that it provides:

- a) construction or rehabilitation costs
- b) rents and/or sales prices
- c) vacancy and absorption rates
- d) cost of, and amount of, financing
- e) developer fees as percentage of cost
- f) return on equity invested
- g) transactional costs in structuring deal and closing financing
- h) carrying costs and soft costs during pre-development and construction
- i) operating costs once stabilized
- j) assumptions as to escalators on revenue and expenses
- k) acquisition cost recognized at lesser of purchase price or current appraised value

Issue Report to Developer:

OPED shall issue written report to Developer confirming that the Application is complete, or detailing what information needs to be submitted or clarified. Developer may resubmit additional or clarifying evidence for further City review.

3B) Step Two of Review- Economic Justification Analysis –

- Per 3.20.040

Developer Equity Contribution*

- Minimum of 5% of Total Development Cost ("TDC") on Deed-Restricted Income-Limited* Deals
- Minimum of 10-15% of TDC on Strictly Commercial (non-residential) Deals
- Minimum of 10-15% on Market-Rate Residential and Mixed-Use Deals

Private Financing

- Maximized per project's cash flow debt-carrying capacity
- Per prevailing lender loan-to-value ratios: (e.g. 50% to 70% of finished appraised value)
- Per prevailing lender debt-coverage ratios: (e.g. of 1.0 to 1.4)

Public Funding

As applicable and available, maximizing use of State and Federal Funding Resources

Reasonable Developer Return

For Deed-Restricted Income-Limited, allow up to 15% of TDC allowed as Developer Fee

For Commercial and Market-Rate Residential Deals, allow up to:

- 20% "Internal Rate of Return" over 20 years as modeled at prevailing capitalization rate
- 12% "Cash-on-Cash Return" Measured in Stable Operating Year (year #2)
 - o Cash Flow (After Vacancy, Operating Expenses, Taxes, Debt Service / Equity
- 8% "Cash-on-Cost Return" in Stable Operating Year (year #2)
 - o Net Operating Income (After Vacancy, Operating Expenses, Taxes) / TDC

*Deed Restricted Income-Limited shall mean residential units which, by deed-restriction, may only be rented or owned by households earning less than 80% of the Area's Median Income as defined by HUD. Market Rate Residential shall mean residential units to which no income-limiting deed-restriction applies, with the exception of income-limiting deed restrictions that allow for such units to be rented or owned by households earning equal to or more than 80% of the Area's Median Income as defined by HUD.

**Developer Equity Shall Include:*

- 1) *Value of property and improvements as determined by appraisal at time of City analysis*
- 2) *Value of cash contributed by the developer toward development, as opposed to pure carrying costs*
- 3) *Value of deferred developer fees*

3C) Step Three – Calculation of Tax Payment Within Policy Parameters

- per 3.20.040 (C)

Length of term:

-up to 2 years during construction

-up to 20 years during operations

Pre-Existing Tax and Tax During Construction and 1st Year of Operation

-Pre-existing tax payment obligation shall remain and may not be reduced

-No new incremental tax payment shall be due during construction

-No new incremental tax payment shall be due during first year of operation

New Base Tax Payment and Escalation Schedule

Commercial and Market-Rate Development:

New base tax payment shall be due the second year of operation and shall be between 2.5% and 7.5% of the project's EGI, provided that, as applies to commercial development, the new base tax payment shall be no less than \$1.00 per gross square foot of development, and further provided that, as applies to residential or mixed-use (residential and commercial) development, the new base tax payment shall at a minimum be equivalent to the lesser of \$1.00 per gross square foot of residential development or \$1,000 per residential unit. The new base tax payment shall remain fixed for operating years 2-7 and then shall escalate annually to reach full taxation in the year following the end of the term.

Deed-Restricted Development:

As applies to deed-restricted residential or mixed-use (residential and commercial) development, the new base tax payment shall be due the second year of the operation and shall be between 7.5% and 10% of the project's EGI, provided that the new base tax payment shall at a minimum be equivalent to the lesser of \$1.00 per gross square foot of residential development or \$1,000 per residential unit. Beginning in the third year of operation, the new base tax payment shall escalate annually to reach full taxation in the year following the end of the term.

Notes:

"EGI" = "Effective Gross Income" = gross revenue minus vacancy and operating exps.

Vacancy Allowance for Deed-Restricted Residential shall be 5%

Vacancy Allowance for Non-Deed-Restricted Residential shall be 10%

Vacancy Allowance for Commercial Space within Mixed-Use Buildings shall be 25%

Base Tax Payment derived on blended basis for mixed-use or multiple property deals

4) Enforcement Policy, Verifications, and Claw-Back Provisions:

- Development costs certified upon completion of construction
- Cost discrepancy (>20%) triggers claw-back or commensurate adjustment of tax payment
- All Agreements filed on Land Records
- OPED retains right of review and consent as to successors and assigns.
- Projects convert to full taxation upon default
- Owner must submit annual CPA-reviewed financial statements for project and/or tax returns
- OPED to conduct Variance Analysis Annually
- If Variance Analysis Reveals Discrepancy (>20% over EG1), then claw-back provisions apply
- Claw-Back via lump-sum retroactive payment or by adjustment of tax payment going forward

5) OPED Reporting Requirements to City Council

a) Deal Specific Reporting

Within 30 days of the execution of any specific Tax Incentive Agreement, OPED shall provide to the City Council an Executive Summary Report of the Incentive Agreement, detailing:

- 1) The specific schedule of new tax payments to be made under the Agreement;
- 2) The cumulative value of new tax payments to be made under the Agreement;
- 3) The cumulative value of the theoretical taxes foregone under the Agreement
- 4) A direct comparison of new tax payments realized versus theoretical tax payments foregone;
- 5) The value of the investment to be made in the City per the Agreement
- 6) The impact of the investment on the assessed value of the property

b) Program-Wide Reporting

Every six months, beginning June 30th, 2018, OPED shall provide the City Council with a Summary Report as to the Tax Incentive Program's cumulative impact with regard to:

- 1) Total number of Tax Incentive Agreements executed
- 2) Total amount of new tax revenue to be realized
- 3) Total value of theoretical taxes to be foregone
- 4) Total investment leveraged
- 5) Geographic locations of projects approved
- 6) Total commercial square footage
- 7) Total residential units and type
- 8) Total impact on underlying assessed value of properties



RECEIVED
CITY CLERK'S OFFICE
19 MAY 30 AM 10:33

Ernest E. Newton II
Bridgeport City Council Member
139th District

May 30, 2019

Dear City Clerk's Office:

As stated at the at the Ordinance Committee Meeting on May 29, 2019 I withdraw the following submission, **Item #35-17 (Ref. #142-16)**.

Sincerely,

Ernest E. Newton II

Ernest E. Newton II
Co-Chair Committee on Contracts
Co-Chair Committee for Community Development Block Grant
Member Committee on Ordinances
Member Committee on Public Safety and Transportation
Council Liaison to Water Pollution Control Authority
Cell Phone: (475) 225-6769
Email: Ernest.Newton@bridgeportct.gov



OFFICE OF THE CITY CLERK RESOLUTION FORM

RECEIVED
CITY CLERKS OFFICE

18 JAN -9 AM 9: 24

ATTEST _____
CITY CLERK

SECTION I CITY COUNCIL SUBMISSION INFORMATION

Log ID/Item Number: 35-17 (Ref. #142-16)
Submitted by Councilmember(s): Ernest E. Newton
Co-Sponsors(s): Eneida L. Martinez Milissa An Item Christopher Joseph
District: 139TH
Subject: Reversing the 2017 Amendments to Chapter 3.24 of the Municipal Code – Affordable Housing Tax Incentive Development Program
Referred to: Ordinance Committee
City Council Date: January 16, 2018

SECTION II RESOLUTION (PLEASE TYPE BELOW)

WHEREAS, as one of its last acts the 2015-2017 Bridgeport City Council on October 16, 2017 gave approval to Item 142-16 and amended Chapter 3.24 of the Municipal Code – Affordable Housing Tax Incentive Development Program; and

WHEREAS, the changes introduced into Chapter 3.24 of the Municipal Code – Affordable Housing Tax Incentive Development Program on October 16, 2017 removed the Bridgeport City Council from a crucial legislative oversight role in the Affordable Housing Tax Incentive Development Program approval process; and

WHEREAS, by amending Chapter 3.24 of the Municipal Code – Affordable Housing Tax Incentive Development Program the previous City Council improperly delegated its legislative responsibilities for protecting this city's taxpayers to the executive branch; and

NOW, THEREFORE BE IT RESOLVED by the Bridgeport City Council that the City Attorney provide the City Council with guidance on the process it needs to go through to reverse or repeal the most recent amendments to Chapter 3.24 of the Municipal Code – Affordable Housing Tax Incentive Development Program including the drafting of any language in the format necessary to reverse or repeal the changes made to Chapter 3.24 of the Municipal Code – Affordable Housing Tax Incentive Development Program on October 16, 2017.

Attached:

Item 142-16 and Chapter 3.24 of the Municipal Code – Affordable Housing Tax Incentive Development Program



OFFICE OF THE CITY CLERK RESOLUTION FORM

SECTION III SUBSEQUENT REFERRALS/REPLIES AND DATE SENT/RECEIVED

DEPARTMENT	Referral date sent	Response Received	Date reply received
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item.		<input type="checkbox"/> Yes <input type="checkbox"/> No	

SECTION IV PUBLIC HEARING INFORMATION

Public Hearing Required	Details	Date
<input type="checkbox"/> Yes <input type="checkbox"/> No	Public Hearing Ordered on: CT Post Publication Date(s): Public Hearing Held on:	

SECTION V AMENDMENTS/EXHIBITS

Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
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SECTION VI COMMITTEE ACTION/APPROVAL INFORMATION

Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:

SECTION VII WITHDRAWN/SINE DIE INFORMATION

Choose an item.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
-----------------	--	-------

SECTION VIII DATE OF APPROVAL/DENIAL FROM CITY COUNCIL

City Council Approval Date: _____

SECTION IX COMMENTS (if any)

Chapter 3.24 - AFFORDABLE HOUSING TAX INCENTIVE DEVELOPMENT PROGRAM

Sections:

Footnotes:

--- (1) ---

Editor's note— An ordinance adopted Nov. 4, 2013 amended Ch. 3.24 in its entirety as herein set out. Former Ch. 3.24, §§ 3.24.010—3.24.040 pertained to the affordable housing development program, and derived from prior code §§ 24-180—24-183; and an ordinance adopted March 15, 1993.

3.24.010 - Established.

Pursuant to Connecticut General Statutes as amended ("Statutes"), including but not limited to Section 8-215 and Section 8-216; the ordinance codified in this chapter establishes an affordable housing tax incentive development program for the city, and allows for the abatement of real property taxes until such time that such housing is not solely for low or moderate-income persons or families.

(Ord. dated 11/4/13; Ord. dated 10/16/17)

3.24.020 - Program administration.

- A. Except for the establishment of property assessment as governed by the statutes of the state of Connecticut, and the charter and ordinances of the city, the director of the office of planning and economic development (OPED) shall administer this tax incentive program.
- B. The attached policies and procedures, dated September 13, 2017 and entitled "Exhibit A - OPED - Tax Incentive Development Policy and Affordable Housing Tax Incentive Development Policy," (the "Policy") are hereby adopted and approved by the City Council.

(Ord. dated 11/4/13; Ord. dated 10/16/17)

3.24.030 - Eligibility criteria.

- A. Projects eligible for assistance under this chapter must be projects that include housing for low or moderate-income persons or families as defined by the US Department of Housing and Urban Development or as defined by the state of Connecticut Department of Housing, the state of Connecticut Department of Economic and Community Development, or by the Connecticut Housing Finance Authority, or by their successor agencies in the federal or state government.
- B. A tax incentive development agreement shall provide that moneys equal to the amount of such tax incentive shall be used for any one or more of the purposes stated in Section 3.24.040.A hereof and that such tax incentive shall terminate at any time when such housing is not solely for low or moderate-income persons or families.

(Ord. dated 11/4/13; Ord. dated 10/16/17)

3.24.040 - Miscellaneous.

- A. All projects receiving a tax incentive under this chapter are receiving the incentive so as to achieve one or more of the following objectives:

- (1) To reduce rents below the levels that would be achieved in the absence of such tax incentive and to improve the quality and design of such housing;
 - (2) To effect occupancy of such housing by persons and families of varying income levels within limits determined by the relevant agencies as described in Section 3.24.030 hereof; or
 - (3) To provide necessary, related and complementary facilities or services in such housing.
- B. Tax incentive development agreements in compliance with this section shall be recorded against title to, and shall be conveyed with, the property, provided that each successive owner of the property, including those who acquire a controlling interest in the entity owning the property, accepts and assumes all of the original applicant's obligations to be performed under such tax incentive development agreement, demonstrates its ability to carry out such obligations, and executes an agreement with OPED to be recorded on the land records. OPED may consent to such assignment in the exercise of its commercial business judgment, reasonably exercised.
- C. To become effective, tax incentive development agreements shall be executed as a contract between the owner of the property and the city and shall be recorded on the land records of the city.
- D. All projects awarded a tax incentive development agreement shall comply with all statutes, orders, ordinances, rules and regulations regarding civil rights, equal opportunity and affirmative action.
- E. Tax incentive development agreements and all nonexempt information submitted to OPED by the applicant shall be subject to the Connecticut Freedom of Information Act as amended, Section 1-15 et seq.
- F. Once an application meets the eligibility criteria established by OPED in accordance with this chapter, OPED shall make a determination as to the extent of tax incentive to be granted to a particular project and shall submit the tax incentive development agreement to the Mayor for execution in accordance with the Policy adopted by the City Council per 3.24.020(b). No tax incentive exceeding that set forth in the Policy adopted by the City Council may be granted by OPED without final approval of the City Council, in which case the initial application must be forwarded to the City Council with a written report from OPED explaining OPED's rationale for recommending the tax incentive development agreement.

(Ord. dated 11/4/13 ; Ord. dated 10/16/17)

Item# *142-16 Consent Calendar

Amendments to the Municipal Code of Ordinances,
amend Chapter 3.24 - Affordable Housing Tax
Incentive Development Program.



Report
of
Committee
on
Ordinances

City Council Meeting Date: October 16, 2017

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

Approved by: Joseph P. Canim
Joseph P. Canim, Mayor

Date Signed: 10/19/17

CITY CLERK

ATTEST

17 OCT 20 AM 11:53

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CITY CLERKS OFFICE



City of Bridgeport, Connecticut

Office of the City Clerk

To the City Council of the City of Bridgeport.

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

Item No. 142-16

Resolution Amending Chapter 3.24 of the Municipal Code

WHEREAS, Chapter 3.24 of the Bridgeport Municipal Code (the "Ordinance"), establishes an "Affordable Housing Tax Incentive Development Program," (the "Program") to promote development and increase tax revenue for the City;

WHEREAS, Section 3.24.020(A) of the Ordinance charges the Director of the City's Office of Planning and Economic Development ("OPED") with the responsibility of administering the Program;

WHEREAS, pursuant to Sec 3.24.020(B) of the Ordinance, OPED has established uniform and consistent policies, procedures and forms by which to administer the Ordinance (such policies, procedures, and forms attached hereto as Exhibit A - OPED Tax Incentive Development Policy and Affordable Housing Tax Incentive Development Policy -Dated 9-13-17 -- and herein referred to as the "Policy");

WHEREAS, the Policy provides specific limiting parameters within which OPED must operate in its administration of the Program;

WHEREAS, in order to maximize the tax revenue generated per the Policy, the Program must be administered in an efficient, transparent, and predictable manner;

NOW THEREFORE BE IT ORDAINED: By the City Council of the City of Bridgeport that, effective upon publication by the City Council, the Municipal Code of Ordinances, Chapter 3.24 Affordable Housing Tax Incentive Development Program, is hereby amended to read as follows:

Chapter 3.24 - AFFORDABLE HOUSING TAX INCENTIVE DEVELOPMENT PROGRAM

Sections:

3.24.010 - Established.

Pursuant to Connecticut General Statutes as amended ("Statutes"), **including but not limited to** Section 8-4215 and Section 8-4216; the ordinance codified in this chapter establishes an affordable housing tax incentive development program for the city, and allows for the abatement of real property taxes until such time that such housing is not solely for low or moderate-income persons or families.

(Ord. dated 11/4/13)



City of Bridgeport, Connecticut

Office of the City Clerk

Report of Committee on Ordinances
Item No. 142-16

-2-

3.24.020 - Program administration.

- A. Except for the establishment of property assessment as governed by the statutes of the state of Connecticut, and the charter and ordinances of the city, the director of the office of planning and economic development (OPED) shall administer this tax incentive program.
- B. The attached policies and procedures, dated September 13, 2017 and entitled "Exhibit A - OPED - Tax Incentive Development Policy and Affordable Housing Tax Incentive Development Policy," (the "Policy") are hereby adopted and approved by the City Council.**
- ~~B. In consultation with the tax collector and tax assessor, OPED shall establish uniform and consistent policies, procedures and forms to ensure compliance with this chapter making such procedures, and forms publicly available within one hundred twenty (120) days of the enactment of the ordinance codified in this chapter.~~
- ~~C. The policies, procedures and forms shall be made available for public comment for a thirty day period prior to their implementation and shall be approved by the city council through the office of the city clerk.~~
- ~~D. The applicant for a tax incentive under this chapter shall submit a letter of request for such a tax incentive which shall disclose all principals of the applicant. The applicant must complete and file with OPED all other necessary forms required by OPED.~~

(Ord. dated 11/4/13)

3.24.030 - Eligibility criteria.

- A. Projects eligible for assistance under this chapter must be projects that include housing for low or moderate-income persons or families as defined by the US Department of Housing and Urban Development or as defined by the state of Connecticut Department of Housing, the state of Connecticut Department of Economic and Community Development, or by the Connecticut Housing Finance Authority, or by their successor agencies in the federal or state government.



City of Bridgeport, Connecticut

Office of the City Clerk

Report of Committee on Ordinances

Item No. 142-16

-3-

- B. A tax incentive development agreement shall provide that moneys equal to the amount of such tax incentive shall be used for any one or more of the purposes stated in Section 3.24.040.A hereof and that such tax incentive shall terminate at any time when such housing is not solely for low or moderate-income persons or families.

(Ord. dated 11/4/13)

3.24.040 - Miscellaneous.

- A. All projects receiving a tax incentive under this chapter are receiving the incentive so as to achieve one or more of the following objectives:
- (1) To reduce rents below the levels that would be achieved in the absence of such tax incentive and to improve the quality and design of such housing;
 - (2) To effect occupancy of such housing by persons and families of varying income levels within limits determined by the relevant agencies as described in Section 3.24.030 hereof; or
 - (3) To provide necessary, related and complementary facilities or services in such housing.
- B. Tax incentive development agreements in compliance with this section shall be recorded against title to, and shall be conveyed with, the property, provided that each successive owner of the property, including those who acquire a controlling interest in the entity owning the property, accepts and assumes all of the original applicant's obligations to be performed under such tax incentive development agreement, demonstrates its ability to carry out such obligations, and executes an agreement with OPED to be recorded on the land records. OPED may consent to such assignment in the exercise of its commercial business judgment, reasonably exercised.
- C. To become effective, tax incentive development agreements shall be executed as a contract between the owner of the property and the city and shall be recorded on the land records of the city.
- D. All projects awarded a tax incentive development agreement shall comply with all statutes, orders, ordinances, rules and regulations regarding civil rights, equal opportunity and affirmative action.



City of Bridgeport, Connecticut

Office of the City Clerk

Report of Committee on Ordinances

Item No. 142-16

-4-

- E. Tax incentive development agreements and all nonexempt information submitted to OPED by the applicant shall be subject to the Connecticut Freedom of Information Act as amended, Section 1-15 et seq.
- F. Once an application meets the eligibility criteria established by OPED in accordance with this chapter, ~~the application shall be forwarded with a report from OPED to the city council for final approval. The report shall explain OPED's rationale for supporting the tax incentive development agreement.]~~ **OPED shall make a determination as to the extent of tax incentive to be granted to a particular project and shall submit the tax incentive development agreement to the Mayor for execution in accordance with the Policy adopted by the City Council per 3.24.020(b). No tax incentive exceeding that set forth in the Policy adopted by the City Council may be granted by OPED without final approval of the City Council, in which case the initial application must be forwarded to the City Council with a written report from OPED explaining OPED's rationale for recommending the tax incentive development agreement.**

(Ord. dated 11/4/13)

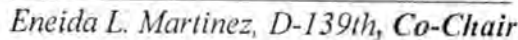


City of Bridgeport, Connecticut Office of the City Clerk

Report of Committee on Ordinances
Item No. 142-16

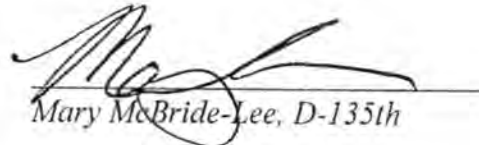
-5-

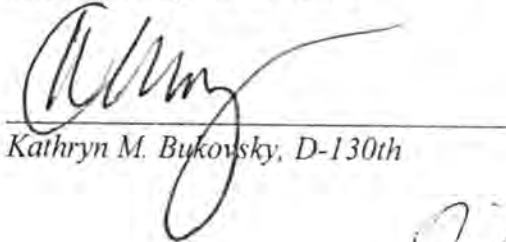
RESPECTFULLY SUBMITTED,
THE COMMITTEE ON
ORDINANCES

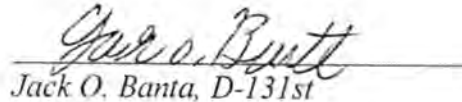

Eneida L. Martinez, D-139th, Co-Chair


Jose R. Casco, D-136th, Co-Chair


Michelle A. Lyons, D-134th


Mary McBride-Lee, D-135th


Kathryn M. Bukovsky, D-130th


Jack O. Banta, D-131st


Richard D. Salter, Sr., D-135th

City Council Date: October 16, 2017

EXHIBIT A

September 13, 2017
OPED
"Tax Incentive Development Policy"
and
"Affordable Housing Tax Incentive Development Policy"
for
Ch. 3.20 Municipal Code - Tax Incentive Development Program
and
Ch. 3.24 Municipal Code – Affordable Housing Tax Incentive Development Program

1)OPED Director shall administer these tax incentive development programs
-per Ch 3.20.020 (A) and Ch 3.24.020 (A)

2)Developers shall make application using standardized form
- per Ch. 3.20.020 (B) and Ch 3.24.020 (B)

- Form Shall Be: CHFA DOH Consolidated Application – (8-16-17), applicable sections, minimally:
- detailed development budget
- detailed sources and uses of funds
- 20 year operating pro-forma
- (see form attached)

3)OPED shall follow standardized 3-step procedure for review of applications
Step 1: Initial Analysis for Completion of Application
Step 2: Financial Analysis – Economic Justification Analysis
Step 3: Calculation of Allowable Tax Payment Within Policy Parameters
- per Ch. 3.20.020 (B) and Ch 3.24.020 (B)

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17 OCT 16 PM 12: 28
ATTEST
CITY CLERK _____

3A) Step One of Review – Initial Review of Application for Completeness

Review of Developer's experience, standing, financial capacity to confirm:

- a) evidence of positive long-term banking relationships
- b) evidence of previous project completions
- c) absence of prejudicial litigation or judgments
- d) absence of city-developer litigation other than normal assessment appeal
- e) absence of non-compliance with any other city regulatory requirements
- f) evidence that applicant is current on all local tax and user fee obligations
- f) financial strength as evidenced by CPA-reviewed-quality financial statements (2 years)

Review of Completeness of Development Proposal to confirm that it provides:

- a) construction or rehabilitation costs
- b) rents and/or sales prices
- c) vacancy and absorption rates
- d) cost of, and amount of, financing
- e) developer fees as percentage of cost
- f) return on equity invested
- g) transactional costs in structuring deal and closing financing
- h) carrying costs and soft costs during pre-development and construction
- i) operating costs once stabilized
- j) assumptions as to escalators on revenue and expenses
- k) acquisition cost recognized at lesser of purchase price or current appraised value

Issue Report to Developer:

OPED shall issue written report to Developer confirming that the Application is complete, or detailing what information needs to be submitted or clarified. Developer may resubmit additional or clarifying evidence for further City review.

3B) Step Two of Review- Economic Justification Analysis –

- Per 3.20.040

Developer Equity Contribution*

- Minimum of 5% of Total Development Cost ("TDC") on Deed-Restricted Income-Limited* Deals
- Minimum of 10-15% of TDC on Strictly Commercial (non-residential) Deals
- Minimum of 10-15% on Market-Rate Residential and Mixed-Use Deals

Private Financing

- Maximized per project's cash flow debt-carrying capacity
- Per prevailing lender loan-to-value ratios: (e.g. 50% to 70% of finished appraised value)
- Per prevailing lender debt-coverage ratios: (e.g. of 1.0 to 1.4)

Public Funding

As applicable and available, maximizing use of State and Federal Funding Resources

Reasonable Developer Return

For Deed-Restricted Income-Limited, allow up to 15% of TDC allowed as Developer Fee

For Commercial and Market-Rate Residential Deals, allow up to:

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 - o Cash Flow (After Vacancy, Operating Expenses, Taxes, Debt Service / Equity
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3C) Step Three – Calculation of Tax Payment Within Policy Parameters

- per 3.20.040 (C)

Length of term:

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Pre-Existing Tax and Tax During Construction and 1st Year of Operation

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- No new incremental tax payment shall be due during construction
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New Base Tax Payment and Escalation Schedule

Commercial and, Market-Rate Development:

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Deed-Restricted Development:

As applies to deed-restricted residential or mixed-use (residential and commercial) development, the new base tax payment shall be due the second year of the operation and shall be between 7.5% and 10% of the project's EGI, provided that the new base tax payment shall at a minimum be equivalent to the lesser of \$1.00 per gross square foot of residential development or \$1,000 per residential unit. Beginning in the third year of operation, the new base tax payment shall escalate annually to reach full taxation in the year following the end of the term.

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- 1) The specific schedule of new tax payments to be made under the Agreement;
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- 6) The impact of the investment on the assessed value of the property

b) Program-Wide Reporting

Every six months, beginning June 30th, 2018, OPED shall provide the City Council with a Summary Report as to the Tax Incentive Program's cumulative impact with regard to:

- 1) Total number of Tax Incentive Agreements executed
- 2) Total amount of new tax revenue to be realized
- 3) Total value of theoretical taxes to be foregone
- 4) Total investment leveraged
- 5) Geographic locations of projects approved
- 6) Total commercial square footage
- 7) Total residential units and type
- 8) Total impact on underlying assessed value of properties



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ATTEST

SECTION I CITY COUNCIL SUBMISSION INFORMATION

Log ID/Item Number: 36-17
 Submitted by Councilmember(s): Peter D. Spain
 Co-Sponsors(s):
 District: 130TH
 Subject: Proposed Resolution Amending the Bridgeport Municipal Code Chapter 8 on Health and Safety – for referral to the Joint Committee of ECD&E Committee and Ordinance Committee
 Referred to:
 City Council Date: January 16, 2018

SECTION II RESOLUTION (PLEASE TYPE BELOW)

Co-Sponsors(s): Jack Banta, Marcus Brown, Jeanette Herron, Karen Jackson, Kyle Langan, Michelle Lyons, Eneida Martinez, Ernie Newton, Aidee Nieves, Rosalina Roman-Christy, Christina Smith, Nessah Smith, Denese Taylor-Moye

District(s): 130th, 131st, 132nd, 133rd, 134th, 135th, 137th, 138th, and 139th.

Whereas, Chapter 8 of the Bridgeport Municipal Code (the "Ordinance") establishes sensible regulations to safeguard and promote the health and safety of Bridgeport residents;

Whereas, medical researchers at Yale University have identified in waste associated with natural gas and oil extraction more than fifty (50) known, probable or possible carcinogens that are potential water contaminants and/or air pollutants (Reference 1);

Whereas, the State of Connecticut Office of Legislative Research has noted that Connecticut's proximity to natural-gas rich New York and Pennsylvania "could make it a potential site for treating and disposing fracking waste if economic and regulatory conditions made it economically feasible"(Reference 2);

Whereas, over 20 Connecticut municipalities have passed local ordinances banning the drilling and extraction of natural gas and oil and the storage of resulting wastes to protect their people and natural resources from the widely reported health hazards and pollution risks presented by such activities;

Now therefore be it ordained by the City Council of the City of Bridgeport that, effective upon publication, the Municipal Code of Ordinances, Chapter 8, is hereby amended as follows:

Chapter 8.09. Prohibition on Waste Associated with Natural Gas and Oil Extraction

(a) Purpose. The prohibition of waste associated with the drilling and extraction of natural gas and oil is hereby declared necessary for the protection of the health, safety, welfare and property of the residents of the City of Bridgeport pursuant to the provisions of Section 7-148 of the Connecticut General Statutes that pertain in any way to the protection of health, safety, welfare and property, as the same may be amended from time to time.

(b) Definitions for the Purposes of this Ordinance:

For the purposes of this Ordinance, the following terms, phrases, and words shall have the meanings given here, unless otherwise clearly indicated by the context:



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- 1) *"Hydraulic fracturing" or "Fracking"* shall mean the fracturing of underground rock formations, including shale and non-shale formations, by manmade fluid-driven techniques for the purpose of stimulating oil, natural gas, or other subsurface hydrocarbon production. More specifically, this is the process of drilling down into the earth before a high-pressure water mixture is directed at the rock to release the gas inside. Water, sand and chemicals are injected into the rock at high pressure which allows the gas to flow out to the head of the well. The term fracking refers to how the rock is fractured apart by the high pressure mixture.
- 2) *"Natural gas extraction activities"* shall mean all geologic or geophysical activities related to the exploration for or extraction of natural gas, including, but not limited to, core and rotary drilling and hydraulic fracturing.
- 3) *"Oil extraction activities"* shall mean all geologic or geophysical activities related to the exploration for or extraction of oil, including, but not limited, to core and rotary drilling and hydraulic fracturing.
- 4) *"Natural gas waste"* shall mean: a) any liquid or solid waste or its constituents that is generated as a result of natural gas extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants; b) leachate from solid wastes associated with natural gas extraction activities; c) any waste that is generated as a result of or in association with the underground storage of natural gas; d) any waste that is generated as a result of or in association with liquefied petroleum gas well storage operations; and e) any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.
- 5) *"Oil waste"* shall mean: a) any liquid or solid waste or its constituents that is generated as a result of oil extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants; b) leachate from solid wastes associated with oil extraction activities; and c) any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.
- 6) *"Application"* shall mean the physical act of placing or spreading natural gas waste or oil waste on any road or real property located within the City of Bridgeport.

(c) Prohibitions

- 1) The application of natural gas waste or oil waste, whether or not such waste has received Beneficial Use Determination or other approval for use by the Department of Energy & Environmental Protection ("DEEP") or any other regulatory body, on any road or real property located within the City of Bridgeport for any purpose is prohibited.
- 2) The introduction of natural gas waste or oil waste into any wastewater treatment facility within or operated by the City of Bridgeport is prohibited.
- 3) The introduction of natural gas waste or oil waste into any solid waste management facility within or operated by the City of Bridgeport is prohibited.
- 4) The storage, disposal, sale, acquisition, transfer, handling, treatment and/or processing of natural gas waste or oil waste is prohibited within the City of Bridgeport.

(d) Provision to be included in bids and contracts related to the construction or maintenance of publicly owned and/or maintained roads or real property within the City of Bridgeport:

- 1) All bids and contracts related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the City of Bridgeport shall include a provision stating that no materials containing natural gas or oil waste shall be utilized in providing such a service.
- 2) All bids and contracts related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned



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and/or maintained road or real property within the City of Bridgeport shall include a provision stating that no materials containing natural gas or oil waste shall be provided to the City of Bridgeport.

3) The following statement, which shall be a sworn statement under penalty of perjury, shall be included in all bids related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and/or maintained road or real property within the City of Bridgeport and all bids related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the City of Bridgeport: "We _____ hereby submit a bid for materials, equipment and/or labor for the City of Bridgeport. The bid is for bid documents titled _____. We hereby certify under penalty of perjury that no natural gas waste or oil waste will be used by the undersigned bidder or any contractor, sub-contractor, agent or vendor agent in connection with the bid; nor will the undersigned bidder or any sub-contractor, agent or vendor agent thereof apply any natural gas waste or oil waste to any road or real property within the City of Bridgeport as a result of the submittal of this bid if selected."

(e) Penalties

This ordinance shall apply to any and all actions occurring on or after the effective date of this ordinance. In response to a violation of this ordinance, the City of Bridgeport is empowered to a) issue "Cease and Desist" orders demanding abatement of the violation, b) seek any appropriate legal relief, including immediate injunctive relief, as a result of any violation of this ordinance; c) file a complaint with any other proper authority; and d) require remediation of any damage done to any land, road, building, aquifer, well, watercourse, air quality or other asset, be it public or private, within the City of Bridgeport. The City of Bridgeport may recoup from the offending person(s), jointly and severally, all costs, including experts, consultants and reasonable attorney's fees, that it incurs as a result of having to prosecute or remediate any infraction of this ordinance. For any violation of this Ordinance, the City of Bridgeport may also impose fines in the amount of \$500 per violation per day, or such other amount as is allowed by law, and seek any other remedies allowable under the law.

(f) Enforcement:

The City of Bridgeport's Department of Public Works is hereby empowered and authorized to, if appropriate, issue orders and other directives under this Ordinance and refer matters in connection therewith to the City of Bridgeport's Office of the Corporation Counsel. City of Bridgeport employees, officers and officials are not required to personally carry out testing of waste products to determine chemical contents, as this work may be done via contacting the State of Connecticut Department of Energy and Environmental Protection or the appropriate analytical laboratory or laboratories. If appropriate, the City of Bridgeport's Department of Public Works may request that the State of Connecticut Department of Energy and Environmental Protection pursue civil penalties allowable under the law.

(g) Severability

If any clause, sentence, paragraph, subdivision, section or part of this Ordinance or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Ordinance or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered. To further this end, the provisions of this Ordinance are hereby declared to be severable.

(h) Conflicts with other Ordinances or Codes

In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance or code of the City of Bridgeport, the provision that establishes the higher standard for the protection of the health, safety, welfare and property of the residents of the City of Bridgeport shall prevail. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance or code of the City of Bridgeport, which other ordinance or code establishes a lower standard for the protection of the health, safety, welfare and property of the residents of the City of Bridgeport, the provisions of this Ordinance shall be deemed to prevail, and such other ordinances or codes are hereby declared to be repealed to the extent that they may be found in



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conflict with this Ordinance.

(i) Transportation

Nothing in this ordinance shall be interpreted to ban the transportation of any product or by-product described herein on any roadway or real property within the City of Bridgeport.

References

1. Yale Public Health Magazine – Fall 2017. Fracking’s Fallout. 22-23. <http://www.pageturnpro.com/Yale-School-of-Public-Health/81618-Yale-Public-Health--Fall-2017/default.html#page/24>
2. CT OLR Research Report. 2014. Transport, storage, and disposal of fracking waste.

<https://www.cga.ct.gov/2014/rpt/2014-R-0016.htm>

-Original Email with Text is Attached-



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SECTION III SUBSEQUENT REFERRALS/REPLIES AND DATE SENT/RECEIVED

DEPARTMENT	Referral date sent	Response Received	Date reply received
Choose an item		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Choose an item		<input type="checkbox"/> Yes <input type="checkbox"/> No	
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SECTION IV PUBLIC HEARING INFORMATION

Public Hearing Required	Details	Date
<input type="checkbox"/> Yes <input type="checkbox"/> No	Public Hearing Ordered on: CT Post Publication Date(s): Public Hearing Held on:	

SECTION V AMENDMENTS/EXHIBITS

Choose an item	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
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SECTION VI COMMITTEE ACTION/APPROVAL INFORMATION

Choose an item	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
Choose an item	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
Choose an item	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:

SECTION VII WITHDRAWN/SINE DIE INFORMATION

Choose an item	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
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SECTION VIII DATE OF APPROVAL/DENIAL FROM CITY COUNCIL

City Council Approval Date: _____

SECTION IX COMMENTS (if any)

4/11/18

For the records of the City of Bridgeport:

At the April 9, 2018 Budget + Appropriations Committee meeting, I withdrew my resolution # 37-17.

Respectfully yours,

Pete Spain

Pete Spain
Council rep for 130th District

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ATTEST

SECTION I CITY COUNCIL SUBMISSION INFORMATION

Log ID/Item Number: 37-17
Submitted by Councilmember(s): Peter D. Spain
Co-Sponsors(s):
District: 130TH
Subject: Resolution for full reimbursement and transparent reporting by Mayor to City of Bridgeport
Referred to: Budget and Appropriations Committee
City Council Date: January 16, 2018

SECTION II RESOLUTION (PLEASE TYPE BELOW)

Co-Sponsors(s): Marcus Brown, Karen Jackson, Kyle Langan, Eneida Martinez, Ernie Newton, and Christina Smith.

District(s): 130th, 132nd, 138th, and 139th.

Whereas the Bridgeport City Charter Chapter 9, Section 4 states the authority of City Council to procure information.

Whereas the City Council established an annual budget as detailed by City Charter Chapter 9, Section 5.

Whereas Police Department overtime expenses have exceeded budgets in recent years and has required measures to address overtime spending.

Whereas the Mayor has chosen to utilize police officers for driving and security duties with resulting regular overtime payroll expenses.

Whereas the Office of State Ethics Advisory Opinion No, 1993-23 details appropriate reimbursement for use of Connecticut State Troopers for driving and security during the campaign of Lieutenant Governor Eunice Groark.

Therefore, be it resolved that the Mayor reimburse the City of Bridgeport for all expenses related to the use of Bridgeport Police Department officers for driving and security duties during his campaign for the Office of Governor of the State of Connecticut.

Be it further resolved that a report of all expenses related to the use of on-duty Bridgeport Police Department officers reflecting location, event and hours and all resulting regular and overtime payroll expense be presented to the City Council by the tenth day of the month following the month of those expenses.

Be it further resolved that these reimbursements reflect regular and overtime salary, as well as pension contributions.

Be it further resolved that the City of Bridgeport Finance Director certify receipt of reimbursement for those expenses by the twentieth day of the month following the month of those expenses.

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SECTION III SUBSEQUENT REFERRALS/REPLIES AND DATE SENT/RECEIVED

DEPARTMENT	Referral date sent	Response Received	Date reply received
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SECTION IV PUBLIC HEARING INFORMATION

Public Hearing Required	Details	Date
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SECTION V AMENDMENTS/EXHIBITS

Choose an item	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
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SECTION VI COMMITTEE ACTION/APPROVAL INFORMATION

Choose an item	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
Choose an item	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
Choose an item	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:

SECTION VII WITHDRAWN/SINE DIE INFORMATION

Choose an item	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date:
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SECTION VIII DATE OF APPROVAL/DENIAL FROM CITY COUNCIL

City Council Approval Date: _____

SECTION IX COMMENTS (if any)