

AGENDA
MEETING OF THE COURT OF COMMON COUNCIL
NOVEMBER 8, 2010

MONDAY EVENING, NOVEMBER 8, 2010

The meeting was called to order by Her Honor Council President rJo Winch, at 6:59 pm

Present: Councilpersons, Veronica Airey-Wilson, Alexander Aponte, James M. Boucher, Luis E. Cotto, Matthew D. Ritter, Calixto Torres and rJo Winch

Absent: Councilpersons, Larry Deutsch and Kenneth H. Kennedy, Jr.

Also present: Deputy Corporation Counsel Carl Nasto

The meeting was opened with a Prayer by Bishop Bradford Howard from House of Restoration

Recitation of the Pledge of Allegiance

Items considered on the Consent Calendar: See Paragraphs*

COMMUNICATIONS

***MAYOR SEGARRA, with accompanying resolution de Authorization to exercise its options to extend current one-year contracts with its on call architects for two additional one-year terms.**

Communication was received from Mayor Segarra, with accompanying resolution, as follows:

Honorable rJo Winch, Council President, and Members of the Court of Common Council, Hartford,
Conn. November 8, 2010

Dear Council President Winch:

Attached for your consideration is a resolution that authorizes the City to exercise its option to extend current one-year contracts with its on-call architects for two additional one-year terms. The contracts have an initial term commencing July 1, 2010 and ending June 30, 2011.

In March of 2010, the City issued a Request for Response for architects to provide on-call services to the City. Through this procurement process, twenty-one (21) architectural firms were selected. One-year contracts were executed, which include the provision that the City has the option to negotiate two additional one-year terms. Section 2-538(C) of the Hartford Municipal Code requires that all contracts in excess of one year in duration must be approved by the Court of Common Council. Therefore, in order to be prepared for the time when such extensions may be exercised, we are requesting Council approval for this option at this time.

Should you have questions about this matter, my staff and the Corporation Counsel's Office will be happy to discuss the issue with you. I recommend your approval of the resolution.

Respectfully submitted, Pedro E. Segarra, Mayor

Whereas, The City of Hartford (“City”), through a Request For Response (Project #5052), dated March 26, 2010, selected the following firms to provide on-call architect services: Lifecare Design, Inc.; Shadley Associates; MR Roming Associates; Joel Raphael Architects; Maier Design Group; JP Engineering, Inc.; BVH Integrated Services; Du Bose Associates, Inc.; Diversified Technician Consultants, Inc.; Crosskey Architects; CR3 LLP; BL Companies; Amenta Emma; AI Engineers, Inc.; Tai Soo Kim Partners, LLC; Tecton Architects, Inc.; TO Design LLC; Vanasse Hangan Brustlin; Richter & Cegan, Inc.; Fuss & O’Neill, Inc.; and Fletcher Thompson, Inc. (collectively, the “Consultants”); and

Whereas, The contracts for these Consultants have an initial term of one (1) year, commencing July 1, 2010 and ending June 30, 2011, with the City having the option to renegotiate two (2) additional one (1) year terms; and

Whereas, Pursuant to §2-538(C) of the Hartford Municipal Code, all contracts in excess of one (1) year in duration are subject to approval by the City’s Court of Common Council, and

Whereas, It is prudent to obtain such approval prior to expiration of the first year of the contract, now, therefore, be it

Resolved, That the contracts for the Consultants are hereby approved, and the Mayor is authorized to execute such contracts, upon and subject to the above terms and conditions, and such other terms and conditions that the Mayor and the Corporation Counsel shall deem appropriate and in the best interests of the City; and be it further

Resolved, That the Mayor is hereby further authorized to execute any and all manner of other documents and to take such other actions as he and the Corporation Counsel may deem appropriate and in the best interests of the City and HBOE in order to effect such contracts; and be it further

Resolved, That no person or entity shall be entitled to rely on, or otherwise claim any benefit by reason of this resolution should the Mayor fail to execute the aforementioned contracts or other documents, or to take any of the other aforesaid actions; and be it further

Resolved, That all approvals and authorizations provided hereby are contingent upon, and only shall be effective on and by means of, the Mayor executing such contracts and documents, and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel; and be it further

Resolved, That all foregoing approvals and authorizations shall be effective as of July 1, 2010.

The resolution was passed on the following roll-call vote:

Yeas: Councilpersons, Airey-Wilson, Aponte, Boucher, Cotto, Ritter, Torres and Winch.7

Absent: Councilpersons, Deutsch, Kennedy.2

***MAYOR SEGARRA, with accompanying resolution de Authorization to accept an Operating Assistant Grant from the Connecticut Department of Transportation an authorization to execute a three year contract between the City of Hartford and GHTD for operation of the Dial-A-Ride Program.**

Communication was received from Mayor Segarra, with accompanying resolution, as follows:

Honorable rJo Winch, Council President, and Members of the Court of Common Council, Hartford,
Conn. November 8, 2010

Dear Council President Winch:

Attached for your consideration is a resolution authorizing two actions relative to the City’s Dial-a-Ride transportation program for Hartford’s elderly and disabled residents. The resolution authorizes the City to accept an Operating

Assistance Grant in the amount of \$136,658 from the Connecticut Department of Transportation through the Greater Hartford Transit District (GHTD). The grant will reimburse the City's General Fund for operating expenses of Dial-a-Ride.

The resolution also authorizes the execution of a three-year contract, for the period November 1, 2010 through October 31, 2013, with the option of two one-year renewals, between the City of Hartford and GHTD for operation of the Dial-a-Ride program. The City issued a Request for Proposals (RFP) for the operation of the program and received one proposal, from GHTD. Extensive negotiations took place before an agreement was reached. While negotiations were underway, GHTD's previous contract was extended on a month to month basis. Subject to Council approval, the new contract will be effective November 1, 2010 to avoid additional extensions.

The Dial-a-Ride program provides an essential service to disabled and elderly residents. During the period from July 1, 2009 thru June 30, 2010, 25,798 passengers took 48,611 passenger trips with Dial-a-Ride. The CTDOT grant funds support the service and the City by providing revenue to the General Fund to offset some of the costs of this valuable program. I, therefore, recommend passage of the attached resolution.

Respectfully submitted, Pedro E. Segarra, Mayor

Whereas, The Connecticut Department of Transportation (CTDOT) has allocated, to the Greater Hartford Transit District (GHTD), an Operating Assistance Grant in the amount of \$136,668 for operation of the Hartford Dial-a-Ride transportation program for elderly and disabled residents of Hartford, and

Whereas, These funds will be provided, by GHTD to the City of Hartford, to reimburse the City's General Fund for expenses of the 2010-2011 Dial-A-Ride transportation program, and

Whereas, The City of Hartford currently contracts with the Greater Hartford Transit District (GHTD) to operate the City's Dial-A-Ride program and wishes to continue that arrangement for an additional three-year term, now, therefore, be it

Resolved, The Court of Common Council hereby authorizes the acceptance of the Operating Assistance Grant from CTDOT and GHTD in the approximate amount of \$136,668.18, and be it further

Resolved, The Court of Common Council hereby authorizes the Mayor to enter into a contract with the GHTD to operate the Dial-A-Ride program for the period of November 1, 2010 to October 31, 2013, and be it further

Resolved, That the Mayor is authorized to execute any and all manner of other documents and to take such other actions as he and the Corporation Counsel may deem appropriate and in the best interests of the City in order to receive, contract and expend the above referenced grant funds, and be it further

Resolved, That no person or entity shall be entitled to rely on, or otherwise claim any benefit by reason of this resolution should the Mayor fail to execute the aforementioned agreement or other documents, or to take any of the aforesaid actions, and be it further

Resolved, That all approvals and authorizations provided hereby are contingent upon, and only shall be effective on and by means of, the parties executing such documents, and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel, and be it further

Resolved, That, in accordance with CTDOT's requirements, the City of Hartford hereby adopts, as its policy, to support the Non-Discrimination Agreements and Warranties required under Connecticut General Statutes § 4a- 60(a)(1) and § 4a-60a(a)(1), as amended in State of Connecticut Public Act 07-245 and Sections 9(a)(1) and 10(a)(1) of Public Act 07-142, as those statutes may be amended from time to time.

The resolution was passed on the following roll-call vote:

Yeas: Councilpersons, Airey-Wilson, Aponte, Boucher, Cotto, Ritter, Torres and Winch.7

Absent: Councilpersons, Deutsch, Kennedy.2

***MAYOR SEGARRA, with accompanying resolution de Authorization to accept Teen Pregnancy and STI/HIV Prevention Education grant funds from the U.S. Department of Health and Human Services.**

Communication was received from Mayor Segarra, with accompanying resolution, as follows:

Honorable rJo Winch, Council President, and Members of the Court of Common Council, Hartford, Conn.
November 8, 2010

Dear Council President Winch:

Attached for your consideration is a resolution authorizing the acceptance of \$4,500,000 in Teen Pregnancy and STI/HIV Prevention Education grant funds from the U.S. Department of Health and Human Service (DHHS), through its Centers for Disease Control and Prevention (CDC). The period of the grant is five years, from September 30, 2010 through September 29, 2015.

The purpose of the grant is to reduce the rates of pregnancy, STIs (sexually transmitted infections), and HIV among Hartford teenagers. With these funds, the City's Health & Human Services Department, in partnership with nonprofit provider organizations, will provide prevention services to low-income African-American and Hispanic teens ages 13-19 in the City. The resolution also authorizes the City to contract with nonprofit organizations to provide these services.

Figures for births to Hartford teenagers indicate the need for prevention services, especially for Hispanic and African American young people. In 2008, 19% of all births in Hartford were to teenagers. The teen birth rate in Hartford in 2006-2008 was 72.5 births for every 1,000 teens. This figure is considerably higher than the U.S. teen birth rate of 42.0 births per 1000 teens for the same period. In the two-year period 2005-2007, 64% of Hartford teen births were to Hispanic teens, 30% to Black teens, and 4% to white teens. Disparities in many perinatal health indicators are also evident, including high infant mortality rates, outcomes such as low birth weight and prematurity, and maternal care issues.

The rates of HIV/AIDS and sexually transmitted diseases and infections among teens in Hartford also demonstrate the need for prevention services. In 2009, the overall rates of Chlamydia and Gonorrhea infection among Hartford teens 15 to 19 years of age were, respectively, 63.3 cases per 1000 population and 12.8 cases per 1000 population. African American women of this age were the most impacted. They represented 39.4% and 37.4% of all teen cases of Chlamydia and Gonorrhea. During the same year, approximately 2% of the HIV/AIDS diagnoses in Hartford were among teens aged 13 to 19 years old. African Americans and Hispanics were disproportionately affected; they represented more than 80% of reported cases (44.4% and 43.1% respectively).

The CDC grant will help us address these serious health issues affecting Hartford teens. I recommend your passage of the attached resolution.

Respectfully submitted, Pedro E. Segarra, Mayor

Whereas, Hartford's birth rate to teenagers is significantly higher than the teen birth rate nationwide and significant negative health indicators are associated with this rate, including high infant mortality rates, outcomes such as low birth weight and prematurity, and maternal care issues, and

Whereas, The U.S. Department of Health and Human Service (DHHS), through its Centers for Disease Control and Prevention (CDC), has made \$4,500,000 in Teen Pregnancy and STI/HIV Prevention Education funds available to the City of Hartford for the five-year period from September 30, 2010 through September 29, 2015 to provide pregnancy, STI's and HIV prevention services, and

Whereas, The City will utilize grant funds to provide services to low-income African-American and Hispanic teens ages 13-19 with the goal of reducing the rates of pregnancy, STI's, and HIV, and

Whereas, Services funded under this grant will be provided through contracts with nonprofit organizations and agencies, now, therefore, be it

Resolved, That the Court of Common Council does hereby authorize the Department of Health and Human Services to accept a total of \$4.5 million (\$900,000.00 per year for five years) from the Centers for Disease Control and Prevention (CDC) to provide various services to operate the Teen Pregnancy Prevention Program for the period of September 30, 2010 through September 29, 2015, and be it further

Resolved, That the Mayor is authorized to execute any and all manner of other documents and to take such other actions as he and the Corporation Counsel may deem appropriate and in the best interests of the City in order to receive, contract and expend the above referenced grant funds, and be it further

Resolved, That no person or entity shall be entitled to rely on, or otherwise claim any benefit by reason of this resolution should the Mayor fail to execute the aforementioned agreement or other documents, or to take any of the aforesaid actions, and be it further

Resolved, That all approvals and authorizations provided hereby are contingent upon, and only shall be effective on and by means of, the parties executing such documents, and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.

The resolution was passed on the following roll-call vote:

Yeas: Councilpersons, Airey-Wilson, Aponte, Boucher, Cotto, Ritter, Torres and Winch.7

Absent: Councilpersons, Deutsch, Kennedy.2

MAYOR SEGARRA de Submission of the Quarterly Report on the City's Capital Improvement Program for review and discussion.

Communication was received from Mayor Segarra, as follows:

Honorable rJo Winch, Council President, and Members of the Court of Common Council, Hartford,
Conn. November 8, 2010

Dear Council President Winch:

Prior to the Council meeting of November 8, 2010, I will be submitting to you, for review and discussion, the Quarterly Report on the City's Capital Improvement Program.

Respectfully submitted, Pedro E. Segarra, Mayor

Received

MAYOR SEGARRA, with accompanying resolution de Request to enter into Executive Session to discuss the potential resolution of the Marcos Colon v. City of Hartford.

Communication was received from Mayor Segarra, with accompanying resolution, as follows:

Honorable rJo Winch, Council President, and Members of the Court of Common Council, Hartford,
Conn. November 8, 2010

Dear Council President Winch:

I would like to request that the Council enter into Executive Session during its meeting of Monday, November 8, 2010. A brief session is necessary in order to discuss the potential resolution of the Marcos Colon v. City of Hartford action. A resolution is attached for your consideration.

Thank you for your consideration.

Respectfully submitted, Pedro E. Segarra, Mayor

Resolved, Pursuant to Chapter VIII, Section 3 of the City Charter, the Court of Common Council hereby approves settlement of Marcos Colon v. City of Hartford, et al, for thirty thousand and 00/100 (\$30,000.00) payable to the plaintiff in one (1) lump sum payment.

The resolution was passed as amended, on the following roll-call vote:

Yeas: Councilpersons, Aponte, Boucher, Cotto, Ritter, Torres and Winch. 6

Absent: Councilpersons, Airey-Wilson, Deutsch, Kennedy. 3

MAYOR SEGARRA, with accompanying resolution de Request to enter into Executive Session to discuss the potential resolution of the Heriberto Rodriguez v. City of Hartford.

Communication was received from Mayor Segarra, with accompanying resolution, as follows:

Honorable rJo Winch, Council President, and Members of the Court of Common Council, Hartford,
Conn. November 8, 2010

Dear Council President Winch:

I would like to request that the Council enter into Executive Session during its meeting of Monday, November 8, 2010. A brief session is necessary in order to discuss the potential resolution of the Heriberto Rodriguez v. City of Hartford action. A resolution is attached for your consideration.

Thank you for your consideration.

Respectfully submitted, Pedro E. Segarra, Mayor

Resolved, Pursuant to Chapter VIII, Section 3 of the City Charter, the Court of Common Council hereby approves settlement of Heriberto Rodriguez v. City of Hartford, for forty-eight thousand and 00/100 (\$48,000.00) payable to the plaintiff in one (1) lump sum payment.

The resolution was passed as amended, on the following roll-call vote:

Yeas: Councilpersons, Aponte, Boucher, Cotto, Ritter, Torres and Winch. 6

Absent: Councilpersons, Airey-Wilson, Deutsch, Kennedy. 3

MAYOR SEGARRA, with accompanying resolution de Request to enter into Executive Session to discuss the potential resolution of the Richard Legrier v. City of Hartford.

Communication was received from Mayor Segarra, with accompanying resolution, as follows:

Honorable rJo Winch, Council President, and Members of the Court of Common Council, Hartford,
Conn. November 8, 2010

Dear Council President Winch:

I would like to request that the Council enter into Executive Session during its meeting of Monday, November 8, 2010. A brief session is necessary in order to discuss the potential resolution of the Richard Legrier v. City of Hartford action. A resolution is attached for your consideration.

Thank you for your consideration.

Respectfully submitted, Pedro E. Segarra, Mayor

Resolved, Pursuant to Chapter VIII, Section 3 of the City Charter, the Court of Common Council hereby approves settlement of Richard Legrier v. City of Hartford, for thirty thousand and 00/100 (\$30,000.00) payable to the plaintiff in one (1) lump sum payment.

The resolution was passed as amended, on the following roll-call vote:

Yeas: Councilpersons, Aponte, Boucher, Cotto, Ritter, Torres and Winch. 6

Absent: Councilpersons, Airey-Wilson, Deutsch, Kennedy. 3

MAYOR SEGARRA, with accompanying resolution de Request to enter into Executive Session to discuss the potential resolution of the Myrna Capasso-Rubio v. City of Hartford.

Communication was received from Mayor Segarra, with accompanying resolution, as follows:

Honorable rJo Winch, Council President, and Members of the Court of Common Council, Hartford,
Conn. November 8, 2010

Dear Council President Winch:

I would like to request that the Council enter into Executive Session during its meeting of Monday, November 8, 2010. A brief session is necessary in order to discuss the potential resolution of the Myrna Capasso-Rubio v. City of Hartford action. A resolution is attached for your consideration.

Thank you for your consideration.

Respectfully submitted, Pedro E. Segarra, Mayor

Resolved, Pursuant to Chapter VIII, Section 3 of the City Charter, the Court of Common Council hereby approves settlement of Myrna Capasso-Rubio v. City of Hartford, for forty-eight thousand and 00/100 (\$48,000.00) payable to the plaintiff in one (1) lump sum payment.

The resolution was passed as amended, on the following roll-call vote:

Yeas: Councilpersons, Aponte, Boucher, Cotto, Ritter, Torres and Winch. 6

Absent: Councilpersons, Airey-Wilson, Deutsch, Kennedy. 3

MAYOR SEGARRA, with accompanying resolution de Request to enter into Executive Session to discuss the potential resolution of the Vittorio Pettino v. City of Hartford.

Communication was received from Mayor Segarra, with accompanying resolution, as follows:

Honorable rJo Winch, Council President, and Members of the Court of Common Council, Hartford,
Conn. November 8, 2010

Dear Council President Winch:

I would like to request that the Council enter into Executive Session during its meeting of Monday, November 8, 2010. A brief session is necessary in order to further discuss the potential resolution of the Vittorio Pettino v. City of Hartford action. A resolution is attached for your consideration.

Thank you for your consideration.

Respectfully submitted, Pedro E. Segarra, Mayor

Resolved, Pursuant to Chapter VIII, Section 3 of the City Charter, the Court of Common Council hereby approves settlement of Vittorio Pettino v. City of Hartford for forty thousand and 00/100 (\$40,000.00) payable to the plaintiff in one (1) lump sum payment.

The resolution was passed as amended, on the following roll-call vote:

Yeas: Councilpersons, Aponte, Boucher, Cotto, Ritter, Torres and Winch.6

Absent: Councilpersons, Airey-Wilson, Deutsch, Kennedy. 3

REPORTS

***OPERATIONS, MANAGEMENT AND BUDGET COMMITTEE, with accompanying substitute resolution de Allocation of funds to San Juan Center Sports from the City's Contributions towards Public Program Account.**

Report was received from the Chairperson of the Operations, Management and Budget Committee, as follows:

Honorable rJo Winch, Council President, and Members of the Court of Common Council, Hartford,
Conn. November 8, 2010

Dear Council President Winch:

On Monday, November 1, 2010 Your Operation Management mad Budget Committee called a Special meeting to consider the following item:

Councilmen Torres and Aponte San Juan Center Sports de allocation of funds from the City's Contributions towards Public Program Account.

Present at the meeting were your Management and Budget Chairperson Kenneth H. Kennedy, Jr., Committee members rJo Winch, Larry Deutsch, Deputy Corporation Counsel Carl Nasto, Chief Operating Officer David Panagore, Human Resources Director Santiago Malave, Management & Budget Director Rick Galarza, other City staff.

George Cruz, Executive Director of the San Juan Center Sports gave a detail description of the organization, the large number of youth the center serves, and the significance of the center in the Clay Arsenal Neighborhood. Mr. Cruz also provided the committee with a detail budget for the funds requested. Chairman Kennedy made a motion to amend the resolution to reflect a \$1,600 increase to the funds for San Juan Center Sports.

The committee voted 2 yeas with one abstention in favor of sending the item to the full Council with a recommendation

for their approval. There was a quorum. A substitute resolution is attached.

Respectfully submitted, Kenneth H. Kennedy, Jr., Chairman

Resolved, That the Court of Common Council allocate eleven-thousand six hundred (\$11,600.00) to the San Juan Center Sports for the City Contribution toward Public Programs Account.

The resolution was passed on the following roll-call vote:

Yeas: Councilpersons, Airey-Wilson, Aponte, Boucher, Cotto, Ritter, Torres and Winch.7

Absent: Councilpersons, Deutsch, Kennedy.2

***OPERATIONS, MANAGEMENT AND BUDGET COMMITTEE, with accompanying resolution de Allocation of funds from the City's Contributions towards Public Programs Account to Connecticut Puerto Rican Forum.**

Report was received from the Chairperson of the Operations, Management and Budget Committee, as follows:

Honorable rJo Winch, Council President, and Members of the Court of Common Council, Hartford,
Conn. November 8, 2010

Dear Council President Winch:

On Monday, November 1, 2010 Your Operation Management and Budget Committee called a Special meeting to consider the following item:

Councilmen Torres and Aponte Connecticut Puerto Rican Forum de allocation of funds from the City's Contributions towards Public Program Account

Present at the meeting were your Management and Budget Chairperson Kenneth H. Kennedy, Jr., Committee members rJo Winch, Larry Deutsch, Deputy Corporation Counsel Carl Nasto, Chief Operating Officer David Panagore, Human Resources Director Malave Santiago, Management & Budget Director Rick Galarza, other City staff.

The Executive Director of the Connecticut Puerto Rican Forum gave a brief description of the organization and the purpose for the funds requested. Chairman requested a detail breakdown of the budget. After the discussion a motion was made and seconded to send the item to the full Council for their approval. Committee voted two yeas and one abstention. There was quorum.

Respectfully Submitted, Kenneth H. Kennedy, Jr. Chairman

The resolution was passed on the following roll-call vote:

Yeas: Councilpersons, Airey-Wilson, Aponte, Boucher, Cotto, Ritter, Torres and Winch.7

Absent: Councilpersons, Deutsch, Kennedy.2

***OPERATIONS, MANAGEMENT AND BUDGET COMMITTEE, with accompanying resolution de Authorization to execute an amendment to an agreement with the Connecticut Resources Recovery Authority.**

Report was received from the Chairperson of the Operations, Management and Budget Committee, as follows:

Honorable rJo Winch, Council President, and Members of the Court of Common Council, Hartford,
Conn. November 8, 2010

Dear Council President Winch:

On Monday, November 1, 2010 Your Operation Management and Budget Committee called a Special meeting to consider the following item:

Communication from Mayor Segarra, with accompanying resolution de authorization to execute an amendment to an agreement with the Connecticut Resources Recovery Authority.

Present at the meeting were your Management and Budget Chairperson Kenneth H. Kennedy, Jr., Committee members rJo Winch, Larry Deutsch, Deputy Corporation Counsel Carl Nasto, Chief Operating Officer Dave Panagore, Human Resources Director Malave Santiago, Management & Budget Director Rick Galarza, other City staff.

April 8, 2009 the Connecticut Resources Recovery Authority (“Authority”) acquired certain real property from the Connecticut Light & Power Company (“CL&P”) located or held in connection with a parcel or real property commonly known as “Parcel 3”, located at 2 Reserve Road on the South Meadows, thereby removing such property from the City’s grand list. The City now desire to execute another amendment to the Agreement (the “Second Agreement”) for payment in lieu of taxes to provide for the Authority’s payment in lieu of taxes to the City with respect to Parcel 3 as acquired by the Authority from CL&P on April 8, 2009.

After brief discussion on the item the committee voted in favor of sending the item to the full Council with a recommendation for its approval. There was a quorum.

Respectfully Submitted, Kenneth H. Kennedy, Jr. Chairman

The resolution was passed on the following roll-call vote:

Yeas: Councilpersons, Airey-Wilson, Aponte, Boucher, Cotto, Ritter, Torres and Winch.7

Absent: Councilpersons, Deutsch, Kennedy.2

LABOR AND WORKFORCE DEVELOPMENT COMMITTEE, with accompanying resolution de Request for assistance from the Mayor's Office for proposing and amending ordinances for raising of retirement age.

Report was received from the Chairperson of the Labor and Workforce Committee, as follows:

Honorable rJo Winch, Council President, and Members of the Court of Common Council, Hartford,
Conn. November 8, 2010

Dear Council President Winch:

The Labor and Workforce Development Committee Meeting held its regular scheduled meeting on Wednesday, October 20, 2010, at 5:30 p.m. in the Council Chambers.

The following committee members were present at the meeting: Council President – Chair, rJo Winch, Councilwoman, Veronica Airey-Wilson

Also present were: Corporation Counsel – Ivan Ramos, CSEA – Maggie Russell, Emergency Services – Katherine McCormack, Personnel – Director, Santiago Malave and John Byrne

Item for discussion:

1. Raising of Retirement Age De Request for Assistance from the Mayor’s Office for Proposing and Amending

Ordinances for.

The committee voted 2 to 0 in favor of postponing action until Mr. Malave report back to committee with clarification of information requested regarding the raising of retirement age, 0 opposed, 0 abstains, 1 absent from voting.

Respectfully Submitted, rJo Winch, Chairperson

Action postponed until November 22, 2010

***PUBLIC WORKS, PARKS AND ENVIRONMENT COMMITTEE, with accompanying substitute resolution de Waiver of half the fees and permission to close street, serve food and alcohol, and erect stage and tents for Pour House "Summer Block Party Series" sponsored by Pour House.**

Report was received from the Chairperson of the Public Works, Parks and Environment Committee, with a substitute resolution, as follows:

Honorable rJo Winch, Council President, and Members of the Court of Common Council, Hartford, Conn.
November 8, 2010

Dear Council President Winch:

Your Public Works, Parks and Environment Committee held a meeting on October 28, 2010 to discuss the following item:

RESOLUTION BY MINORITY LEADER COTTO DE WAIVER OF HALF THE FEES, AND PERMISSION TO CLOSE STREETS, SERVE FOOD AND ALCOHOL, AND ERECT STAGE AND TENTS FOR POUR HOUSE "SUMMER BLOCK PARTY SERIES" SPONSORED BY POUR HOUSE.

Present at the meeting was Chairperson Luis Cotto, Julio Mendoza & Angel Sierra from the Spanish American Merchants Association, Council staff Brendan Mahoney, Kejuan Dillard from the Mayor's Office, Michael Zaleski of the Hartford Business Improvement District and Kevin Burnham & Jim Paggioli from the Department of Public Works.

This meeting lacked a quorum, so the maker of the resolution requests that the Public Works, Parks and Environment committee is discharged from reporting on this item and requests that the full Council takes action on the attached substitute resolution.

Respectfully submitted, Luis E. Cotto, Chairperson

Whereas, The Pour House is hosting its "Pour House Summer Block Party Series" on Friday, April 20, 2010 Friday, June 18, 2010 and Friday, September 17, 2010. Rain dates are, respectively, May 7, June 25 and September 24. These events will take place from 4:00 pm to 1:00 am with a street closure on Allyn Street between Ann and High Streets; and

Whereas, The sponsor of the event will be serving food and alcohol and erecting a stage and tents; and

Whereas, Prior to the event the Sponsor is required to obtain the proper insurance certificate, which holds the city harmless for any claims arising out of the event. This certificate must be reviewed and approved by the Risk Manager of the Finance Department; and

Whereas, The applicant shall be responsible for removal of litter, debris and other materials from the street or portion thereof used for the party which is attributable to or caused by the party and, if not removed by the applicant, may be removed by the City and the cost thereof charged to the applicant; and

Whereas, The permittee is also required where applicable to apply and receive a liquor permit form the Connecticut

Liquor Control Commission. A copy of this approved liquor permit must be presented to the Health and Human Services Department prior to the event; now, therefore, be it

Resolved, That the sponsor will work with the police and abide by their decision for establishing reasonable noise levels, bass tones; and, be it further

Resolved, That sponsor will shut down as per the following schedule:

Live music will end no later than one hour and thirty minutes (1 ½ hours) prior to legal closure time of 1:00 am Sunday – Thursday and 2:00 am Friday and Saturday.

Serving time will end one hour (1 hour) prior to legal closure time of 1:00 am Sunday – Thursday and 2:00 am Friday and Saturday.

Softer, recorded music will end no later than thirty minutes (30 minutes) prior to legal closure time of 1:00 am Sunday – Thursday and 2:00 am Friday and Saturday; and, be it further

Resolved, That the street will be open by closure time; and, be it further

Resolved, That the event street vending will be prohibited in the Downtown District from 12 midnight to 5 am during and after block parties; and, be it further

Resolved, That the sponsor will notify surrounding businesses and residents of block parties; this may include but is not limited to distributing flyers and posting signs in parking lots; and, be it further

Resolved, That the Court of Common Council grants permission to the Pour House to hold their events and permission to serve alcohol during the event.

The resolution was passed on the following roll-call vote:

Yeas: Councilpersons, Airey-Wilson, Aponte, Boucher, Cotto, Ritter, Torres and Winch.7

Absent: Councilpersons, Deutsch, Kennedy.2

FOR ACTION

Resolution de Requesting closure of all lanes of traffic on Allyn, Church, Ann, Main, Trumbull, Pearl, Asylum and Ford Streets and waiver of half the fees for the Hooker Day Parade.

Resolution – Councilman Cotto:

Resolution introduced on October 12, 2010 and was referred to Public Works, Parks & Environment Committee, was withdrawn

Resolution de Waiver of half fees the Annual Walk-a-Thon sponsored by the Mount Olive Child Development Center at Keney Park.

Resolution – Councilman Cotto:

Resolution introduced on September 13, 2010 and was referred to Public Works, Parks & Environment Committee, was withdrawn

Resolution de Waiver of half the fees for the Impact Hartford-Live With Hope Event sponsored by the Southern New England Conference Youth Department at Bushnell Park.

Resolution – Councilman Cotto:

Resolution introduced on September 13, 2010 and was referred to Public Works, Parks & Environment Committee, was withdrawn

Resolution de waiver of half the fees, street closure and permission to serve food and for Marshall house block party sponsored by Salvation Army's Marshall House.

Resolution – Councilman Cotto:

Resolution introduced on August 9, 2010 and was referred to Public Works, Parks & Environment Committee, was withdrawn

Resolution de Waiver of half the fees for the Sawyer School Picnic at Goodwin Park sponsored by the Sawyer School

Resolution – Councilman Cotto:

Resolution introduced on August 9, 2010 and was referred to Public Works, Parks & Environment Committee, was withdrawn

Resolution de Waiver of half the fees for city day at Colt Park sponsored by the U.S. Army.

Resolution – Councilman Cotto:

Resolution introduced on May 24, 2010 and was referred to Public Works, Parks & Environment Committee, was withdrawn

Resolution de Waiver of half the fees for King's Chapel Day sponsored by King's Chapel Church.

Resolution – Councilman Cotto:

Resolution introduced on May 24, 2010 and was referred to Public Works, Parks & Environment Committee, was withdrawn

***Resolution de Waiver of half the fees, permission to serve food and alcohol, and erect stage and tents for Block Party sponsored by Up or On the Rocks and Black Bear Saloon.**

Resolution – Councilman Cotto:

The resolution introduced on May 24, 2010 was passed on the following roll-call vote:

Yeas: Councilpersons, Airey-Wilson, Aponte, Boucher, Cotto, Ritter, Torres and Winch.7

Absent: Councilpersons, Deutsch, Kennedy.2

Resolution de Waiver of half the fees for Walk to End Domestic Violence sponsored by the Hartford Spanish 7th Day Adventist Church.

Resolution - Councilman Cotto:

Resolution introduced on September 13, 2010 and was referred to Public Works, Parks & Environment Committee, was

withdrawn

Resolution de Waiver of half the fees for Multicultural Family Fun day at Pope Park sponsored by the Mutual Housing Association of Greater Hartford.

Resolution – Councilman Cotto:

Resolution introduced on April 26, 2010 and was referred to Public Works, Parks & Environment Committee, was withdrawn

Resolution de Waiver of half the fees and street closures for St. Anthony Festival and Day of Portugal sponsored by Our Lady of Fatima

Resolution – Councilman Cotto:

Resolution introduced on April 26, 2010 and was referred to Public Works, Parks & Environment Committee, was withdrawn

Resolution de Waiver of half the fees for Rose Weekend Festival at Elizabeth Park sponsored by the Friends of Elizabeth Park.

Resolution – Councilman Cotto:

Resolution introduced on April 26, 2010 and was referred to Public Works, Parks & Environment Committee, was withdrawn

Resolution de Waiver of half the fees for a church service at South Green sponsored by La Casa del Alf.

Resolution – Councilman Cotto:

Resolution introduced June 14, 2010, and was referred to Public Works, Parks & Environment Committee, was withdrawn

Resolution de Waiver of half the fees for Party in the Park 2010 at Day Park sponsored by the King's Temple Church.

Resolution – Councilman Cotto:

Resolution introduced on June 14, 2010 and was referred to Public Works, Parks & Environment Committee, was withdrawn

Resolution de Waiver of half the fees for the 5th Annual Plays in the Parks sponsored by Hart Beat Ensemble.

Resolution – Councilman Cotto:

Resolution introduced on June 14, 2010 and was referred to Public Works, Parks & Environment Committee, was withdrawn

Resolution de Waiver of half the fees for the 33rd Annual Clay Hill Recognition Day at DeLucco Playground sponsored by Clay Hill Improvement District.

Resolution – Councilman Cotto:

Resolution introduced on June 14, 2010 and was referred to Public Works, Parks & Environment Committee, was withdrawn

Resolution de Waiver of half the fees for the Bobby Sands Memorial Celebration sponsored by the Ancient Order of Hibernians Ebenezer Pentecostal Church A/D.

Resolution – Councilman Cotto:

Resolution introduced on June 14, 2010 and was referred to Public Works, Parks & Environment Committee, was withdrawn

Resolution de Waiver of half the fees for Outreaching the Vision of Christ 2010 – Evangelistic Campaign at Barnard Park sponsored by Ebenezer Pentecostal A/D.

Resolution – Councilman Cotto:

Resolution introduced on June 14, 2010 and was referred to Public Works, Parks & Environment Committee, was withdrawn

Resolution de Waiver of half the fees for numerous religious services on street corners sponsored by Iglesia Fuente de Salvation Misionera.

Resolution – Councilman Cotto:

Resolution introduced on June 14, 2010 and was referred to Public Works, Parks & Environment Committee, was withdrawn

Resolution de Waiver of half the fees for Walk for Vision at Bushnell Park sponsored by the Connecticut Chapter of the Massachusetts Eye Research and Surgery Institute.

Resolution – Councilman Cotto:

Resolution introduced on June 14, 2010 and was referred to Public Works, Parks & Environment Committee, was withdrawn

Request to enter into Executive Session to discuss the potential resolution of the Richard Legrier v. City of Hartford.

Communication was received from Mayor Segarra

Communication received October 25, 2010 was withdrawn.

Request to enter into Executive Session to discuss the potential resolution of the Myrna Capasso-Rubio v. City of Hartford.

Communication received from Mayor Segarra

Communication received October 25, 2010 was withdrawn

Internal Audit Commission de Appointment of Council's member to.

Resolution – Councilman Kennedy

Action postponed until November 22, 2010

Request for information for review and approval of the recommended budget of the Board of Education.

Report was received from the Chairperson of the Education Committee, as follows:

Honorable rJo Winch, Council President, and Members of the Court of Common Council, Hartford, Conn.
June 14, 2010

Dear Council President and Council Members:

The Health and Human Services Committee held a Special meeting Thursday September 9, 2010 @ 5p.m. in the Council Chambers.

The following committee members were present at the meeting: Health and Human Services committee Chair, Councilman Larry Deutsch, committee member, Councilman Jim Boucher. Also present were, Director of Health and Human Services Carlos Rivera, Corporation Counsel Lori Mizerak, and Hartford BID Michael Zalesky

Referred item: Health and Human Services Food Service Late Fee Amnesty

This item was originally submitted April 26, 2010 by former Mayor Eddie Perez regarding certain food servicers and restaurants requesting a 50% amnesty on their late fees. Councilman Deutsch inquired about possibly reducing the forgiveness amount but it is set by ordinance and would have to be changed by council.

The Health and Human Services committee is discharging this item for consideration by the Council.

Respectfully submitted, Larry Deutsch, Chairperson

Action postponed until November 22, 2010

***Resolution de Appointment of Katherine A. Calloway, Lewis Myrick, Sr. and Ruby J. Reese to the Commission on Aging.**

Communication was received from Mayor Segarra, with accompanying resolution, as follows:

The resolution introduced October 25, 2010, was passed on the following roll-call vote:

Yeas: Councilpersons, Airey-Wilson, Aponte, Boucher, Cotto, Ritter, Torres and Winch.7

Absent: Councilpersons, Deutsch, Kennedy.2

Ordinance amending Chapter 26, article I, Section 26-1 of Code de Composition of department; duties.

Proposed ordinance amending Chapter 26, Article I, Section 26-1 of the Municipal Code concerning Composition of department; duties, introduced June 14, 2010, on which a hearing was held June 21, 2010, and action postponed on July 12, on that date action postponed until August 23, 2010, action postponed on that date until September 13, 2010, action postponed on that date until September 27, 2010, action postponed on that date until, October 12, 2010, action postponed on that date until October 25, 2010 action postponed on that date until November 8, 2010, was again considered.

Action postponed until November 22, 2010

Ordinance amending the Municipal Code de Novelty Lighters.

Proposed ordinance amending the Municipal Code concerning Chapter 13, Article III, of Code de Novelty Lighters, introduced September 13, 2010, and on which a hearing was held September 20, 2010, and action postponed on October 12, 2010, action postponed on that date until October 25, 2010, action postponed on that date until November 8, 2010, was again considered

Action postponed until November 22, 2010

Ordinance amending Chapter 2, Article IV, Sections 2-87, and Section 2-92 of Code de Department of Public Works-Organization and Department of Human Services-Organization.

Proposed amending the Municipal Code concerning Chapter 2, Article IV, Sections 2-87, and Section 2-92 of Code de Department of Public Works-Organization and Department of Human Services-Organization, introduced June 14, 2010, and on which a hearing was held June 21, 2010, and action postponed on July 12, 2010 until August 9, 2010, action postponed on that date until August 23, 2010, action postponed on that date until September 13, 2010, action postponed on that date until September 27, 2010, action postponed on that date until October 12, 2010 action postponed on that date until October 25, 2010, action postponed on that date until November 8, 2010, was again considered.

Action postponed until November 22, 2010

Ordinance amending Code de Adding new section concerning prohibiting political contributions from City contractors to candidates for Municipal office in the City of Hartford.

Proposed amending the Municipal Code concerning adding new section concerning prohibiting political contributions from City contractors to candidates for Municipal office in the City of Hartford, introduced June 28, 2010, and on which a hearing was held July 19, 2010, and action postponed on August 9, 2010, action postponed on that date until August 23, 2010, action postponed on that date until September 13, 2010, action postponed on that date until September 27, 2010, action postponed on that date until October 12, 2010, action postponed on that date until October 25, 2010 , action postponed on that date until November 8, 2010, was again considered.

Action postponed until November 22, 2010

Report, with accompanying resolution de Violations Report of any State authorized entities which are willfully or unintentionally violate or facilitate the violation of the Living Wage.

Communication was received from the Labor and Workforce Development Committee, as follows:

Honorable rJo Winch, Council President, and Members of the Court of Common Council, Hartford, Conn.
September 27, 2010

Dear Council Members:

The Labor and Workforce Development Committee Meeting held its regular scheduled meeting on Wednesday, September 15, 2010, at 5:30 p.m. in the Council Chambers.

The following committee members were present at the meeting: Council President – Chair, rJo Winch, Minority Leader, Luis E. Cotto. Also present were: Ivan Ramos, Corporation Counsel, CSEA – Alicia Colt, Rose Matthew, Maggie Russell, Dale Timmons, Sonia Viera, Hartford Democratic Town Committee – Victor Luna, Hartford Guides, Austin Jordan, Office of Human Relations – Eloy Toppin, Registrar of Voters – Urania Petit, Working Families – Jon Green

Item for discussion: Living wage violations de report of any State authorized entities which are willfully or unintentionally violate or facilitate the violation.

On August 21, 2006 the City of Hartford and Logisticare entered into a contract for the transportation of special education students within Hartford. On July 9, 2007, the parties entered into an addendum to that contract to provide for transportation services for out-of-district students attending Hartford host magnet schools.

On December 14, 2009, CREC and Logisticare entered into a letter of agreement whereby CREC agreed to take over the portion of the contract between Logisticare and the City of Hartford for transportation of out-of-district magnet students until such time as a new contract was negotiated between CREC and Logisticare. Effective December 23, 2009, the City of Hartford and Logisticare entered into an amendment to its existing contract whereby Addendum No. 1 to the contract (which addressed the transportation of out-of-district magnet students) was cancelled. Effective January 4, 2010, CREC and Logisticare entered into a separate contract for transportation of the out-of-district students to Hartford host magnet schools.

The City of Hartford continues to have a contract with Logisticare for the transportation of special education students. It no longer has a contract with Logisticare for the transportation of out-of-district magnet school students to Hartford host magnet schools.

The committee voted 2 to 0 in favor of postponing action until Mr. Ramos and Mr. Eloy Toppin report back to committee chair with clarification of information requested, 0 opposed, 0 abstains, 1 absent from voting.

Respectfully Submitted, rJo Winch, Chairperson

Action postponed until November 22, 2010

PROPOSED ORDINANCES

(MAJORITY LEADER BOUCHER AND MINORITY LEADER COTTO) Ordinance amending Chapter 28, article VI, of Code de Adding Tree Ordinance of the City of Hartford. HEARING DATE – Monday, November 15, 2010

Court of Common Council
City of Hartford

November 8, 2010

Be It Ordained by the Court of Common Council of the City of Hartford that the following Article 6, Tree Ordinance of the City of Hartford is added to Chapter 28 of the Municipal Code of the City of Hartford:

Sec. 28-151. Generally.

This article shall be known and referred to as the "Tree Ordinance of the City of Hartford".

Sec. 28-152. Purpose.

The City of Hartford is characterized by its rich heritage of trees. Hartford's Trees clean the air, calm traffic, increase property values, reduce storm water run-off, and otherwise enhance the quality of life. The goal of this ordinance is to maintain and grow Hartford's urban forest, maintain Trees in a healthy condition, protect existing Trees, and mitigate losses and damage to Hartford's Trees.

Sec. 28-153. Findings.

In 2007, the City of Hartford, the Knox Parks Foundation, the Connecticut Department of Environmental Protection, and the United States Forestry Service conducted a survey of the City of Hartford's Trees. This survey revealed that the City has approximately 450,000 Trees that cover about twenty-six (26%) percent of the City's landmass. That is almost four (4) Trees for each resident. Together, they remove 2400 tons of carbon and seventy-three (73) tons of other pollutants from the air each year. Because Hartford has the highest asthma rate in the state, the fact that the removed pollutants include thirty-seven (37) tons of particulate matter, a major asthma trigger, is especially important. Cooling provided by the Trees reduces energy use in the City by 1800 megawatt hours each year. The estimated replacement value of these Trees is about Five Hundred Ninety and 00/100 million (\$590,000,000.00) dollars, an amount equal to

about twenty-two (22%) percent of the gross value of the municipality's Real Property Grand List. The largest and oldest Trees, only twelve (12%) percent of the total number of Trees, provide fifty (50%) percent of the total tree canopy cover. Due to their age and vulnerability, it is clear that Hartford's urban forest is in jeopardy if these Trees are not maintained and more Trees are not planted each year.

Sec. 28-154. Definitions.

- *Alter* means to take action by removing branches or by filling, surfacing, grading, compacting, channeling or changing the drainage pattern of the soil surrounding any Tree in a manner that threatens to diminish the vigor of the Tree. The term "alter" does not include normal seasonal pruning/shaping of a Tree necessary for normal growth.

- *City Tree* means a Public Tree or a Streetscape Tree.

- *Damage* means to act in a manner to jeopardize a Tree's health or cause its appearance to be defaced. Actions that constitute damage include, but are not limited to: posting bills, hanging streamers and/or decorations, driving any objects into a Tree, carving the bark of a Tree, digging/excavating/paving within the Drip Line in a way which impacts the root system, painting a Tree, setting fire to a Tree or allowing harmful substances to come in contact with a Tree.

- *DBH (diameter at breast height)* means the diameter of a Tree at fifty-four (54) inches above grade as indicated by the United States Forest Service method.

- *Drip Line* means a conceptual line along the ground that conforms to the perimeter of the crown of the Tree and projects vertically to the ground.

- *Grove* means a grouping of ten (10) or more Trees, as defined in this Section, located on one quarter (1/4) acre or less.

- *Hazardous Tree* means a tree that is likely to create hazardous conditions on roadways or sidewalks or to cause imminent damage to public property, private property or utility wires.

- *Legacy Tree* means any Tree as determined by the Tree Advisory Commission to be of unique and intrinsic value to the general public because of its size, age, historic association, ecological importance or aesthetic value.

- *Master Tree Plan* means a document prepared by the Tree Advisory Commission that shall establish direction for the City's urban forestry program and shall include targets for Tree canopy cover and Tree diversity. It shall also reference standards for safety in Tree care operations, for Tree planting, and for Tree maintenance. It shall also include guidelines for specifications relating to Trees and Tree care and for contract Tree work. In addition, the Master Tree Plan shall outline a broad program for the improvement of the urban forest that may include recommendations for urban forestry activities in specific neighborhoods, along specific streets, and in areas of the city such as Historic Districts. The Master Tree Plan shall also include a plan for management of city-owned woodlands, such as those that exist in City parks. The Master Tree Plan shall be integrative with other city plans and activities. The Master Tree Plan shall incorporate the most recent Tree inventory as conducted by the City Forester and may, at the discretion of the Tree Advisory Commission, include additional studies of the urban forest.

- *Public Place* means any space owned by the City of Hartford, including property operated or controlled by the Hartford Board of Education, by the Hartford Housing Authority and any space in a City park.

- *Public Tree* means any Tree in a public place.

- *Remove* means to cut down a tree or to take any other action that will cause a Tree to die within a two-year period.

- *Right of Way* means the area owned by the City that abuts any City street, as shown in the City of Hartford's Engineering Division street line maps.

Streetscape Tree means any Tree on private property with a base that originates in the right of way or not more than five (5) feet from the right of way and serves as part of the tree line of a street. A Tree originates in the right of way if a vertical line from the part of the trunk nearest to the street at a height of fifty-four (54) inches is within the right of way.

Super Hazardous Tree is an otherwise Hazardous Tree which has been ordered removed by the City Forester or other assigns of the City of Hartford on an emergency basis because it represents so immediate a hazard to public safety that removal cannot be deferred and the structure cannot be protected, secured, or stabilized by reasonable measures specified by the City Forester. This Article shall not apply to any alteration or pruning that has been ordered by the City Forester or other assigns of the City of Hartford on an emergency basis because the condition represents so immediate a hazard to public safety or structure integrity that alteration cannot be deferred and that such Super Hazardous Tree cannot be protected, secured, or stabilized by reasonable temporary measures specified by the City Forester.

Tree means any living woody, self-supporting plant that has a defined stem(s) with a DBH of at least two (2) inches using the United States Forest Service method of determination.

Tree Inventory means at a minimum a recording of the size, condition, location, and species of all Streetscape Trees and of all planting locations without a Tree that could reasonably accommodate a Streetscape Tree. A Tree Inventory may also include a description of the Tree canopy and a description of the extent and condition of Trees in the City, including those on private property, in parks, and other public areas.

Sec. 28-155 City Forester, Roles and Responsibilities.

(a) The Director of Public Works in accordance with the provisions of §26-11 and §26-12 of this Municipal Code shall appoint a City Forester. The City Forester shall in general act under the direction of the Director of Public Works, in reference to the duties placed upon the Department of Parks and Recreation by §26-11 and §26-12 of the Municipal Code and shall perform such other special duties in reference to Trees, shrubs or vines in highways, public parks and public grounds as may be required of him or her by such Director under the provisions of the Charter and ordinances of the City and the laws of the state. In particular, the City Forester shall have the rights, powers and responsibilities of a Tree Warden as defined in §23-59 of the Connecticut General Statutes. The City Forester shall also be advised by the Tree Advisory Commission established in §6 of this article and shall attend all meetings of the Tree Advisory Commission. The City Forester, or his/her designee, shall have the right to determine whether any specific plant be considered a Tree or shrub and whether a Tree is hazardous. He or she shall also have the right to determine the dollar value of any Tree for the purpose of assessment.

(b) Within 180 days of the effective date of this ordinance, the City Forester shall conduct or cause to be conducted a Tree Inventory. When completed, the inventory shall be available to the public and shall be updated no less than every ten (10) years.

(c) The City Forester shall have the authority to issue citations for violations of this article.

(d) The City Forester shall approve Tree plans for new construction before they are approved by the Planning and Zoning Commission.

(e) Removal of a City Tree shall be permitted only if authorized by the City Forester or his/her designee.

(f) The City Forester shall recommend a budget for expending the annually available interest income of the Hartford Tree Account pursuant to §14 of this article.

(g) The City Forester shall assure that a copy of the alphabetical street list of City rights of way or other reference by which this information is named, as maintained by the City of Hartford Engineering Division of the Department of Public Works, is placed on the City's website so as to be easily accessible to property owners and other members of the public.

Sec. 28-156. Tree Advisory Commission.

-
(a) There is hereby created a Tree Advisory Commission, which shall consist of five (5) ex officio members and five (5) members appointed by the Mayor and approved by the Court of Common Council. The ex officio members shall be the City Forester, the chair of the Parks and Recreation Advisory Commission, the chair of the Public Works, Parks, and Environment Committee of the Court of Common Council, the City Planner, and the Head of Buildings and Grounds for the Hartford Board of Education. The appointed members shall be two (2) persons with established professional competence in a pertinent discipline, such as certified arborists, ornamental horticulturists, and landscape architects and designers, or with a technical background in a related field, and three (3) Hartford residents selected for their interest in the condition of Hartford's urban forest. The City Forester shall be a non-voting member.

-
(b) The Commission shall meet as needed to diligently conduct its business and shall hold regular meetings no less than once per quarter. A quorum shall be a majority of the voting members

-
(c) Members shall serve without compensation. Two (2) members will be designated by the Mayor to serve a three-year term, two (2) members to serve a two-year term and one (1) member to serve a one-year term. After initial appointments, all members shall be appointed for three (3) year terms, except that appointments to fill vacancies shall be for unexpired terms only. Members shall serve in their positions until a replacement is appointed

-
(d) The duties of the Commission shall include but shall not be limited to: advising the City Forester, the Court of Common Council, and the Mayor on Tree-related issues in the City and promoting awareness of Tree care, Hartford's arboreal heritage, and the benefits of an urban forest.

-
(e) The Commission shall develop and adopt a Master Tree Plan within eighteen (18) months of the Commission's first meeting. The Commission shall review the Master Tree Plan every five (5) years and shall amend it as needed. The Master Tree Plan shall be consulted by all City Departments subject to the Master Tree Plan in the course of conducting City business.

-
(f) The Commission shall create an annual "State of the Forest" report about what has occurred in the City's Tree Inventory and urban forest and shall also prepare recommendations of policy and action for the next year. This report may also identify priority locations for planting, so that the City's Tree planting will address any arboreal inequities and will give priority to filling in gaps resulting from the absence of Streetscape Trees. The Commission shall present this report to the Mayor and Court of Common Council for their review and response.

-
(g) The Commission shall hear and, by majority vote of those present and voting, decide appeals from the City Forester pursuant to Sections 28-159 and 28-160 of this article.

-
Sec. 28-157. Legacy Tree Program.

-
(a) The Tree Advisory Commission shall establish a Legacy Tree Program in order to catalog Legacy Trees in the City of Hartford. The public shall be encouraged to give input to the Commission about which Trees should be included in the catalog. The City Forester shall keep a record of all Trees designated as Legacy Trees and their locations.

-
(b) The Commission shall also select a "City Tree" every three (3) years. This Tree shall be selected due to its uniqueness, age, historical significance, or other distinguishing characteristics.

-
Sec. 28-158. Planting Trees in Public Places

-
To contribute to the urban forest of Hartford, the public shall be encouraged to plant Trees in public places in the City and in areas which fill in gaps in the Tree line in or near the right of way. Any organization or person wishing to plant a Tree in a Public Place or a right of way must submit to the City Forester the location, species, and size of the proposed

Tree(s) and must obtain written permission from the City Forester or his/her designee prior to planting. Once such a Tree is planted in a public place or right of way, the Tree shall become the property of the City of Hartford.

Sec. 28-159. Altering or Damaging Trees in a Public Place or Right of Way.

(a) Any person wishing to Alter or Damage a Streetscape Tree or Public Tree that is subject to subsection (a) of this Section shall apply in writing to the City Forester prior to taking such action. The City Forester shall determine whether such action is in the best interest of the City's urban forest and shall notify the applicant of the decision by first-class mail within twenty (20) business days of receiving the application.

(b) A person may appeal the decision of the City Forester within forty-five (45) days of the postmarked date of the City Forester's reply in writing to the Tree Advisory Commission.

(c) Any person who violates the provisions of this Section shall be subject to a fine up to

Two Hundred Fifty and 00/100 (\$250.00) Dollars per violation. The City Forester or designee shall have the authority to issue a citation for violations. All claims regarding citation shall be processed pursuant to §1-5 of the Municipal Code. It shall be an affirmative defense that it was necessary to take action without the permission of the City Forester because a super hazard existed such that action was required due to the threat of imminent harm.

Sec. 28-160. Tree Removal

(a) No person shall remove a City Tree or a Tree on private property with a DBH of thirteen (13) inches or more or a Grove of Trees without the permission of the City Forester.

(b) Any person wishing to remove a Tree or Grove that is subject to subsection (a) of this Section shall apply in writing to the City Forester. The City Forester shall determine whether Removal of the Tree or Grove is in the best interest of the City's urban forest and shall notify the applicant of the decision by first-class mail within twenty (20) business days of receiving the application.

(c) There shall be a Ten (\$10.00) Dollar processing fee for each application.

(d) A person may appeal the decision of the City Forester to the Tree Advisory Commission. Any person denied may be granted a hearing on the matter before the Tree Advisory Commission. Such person shall file with the City Forester a written petition requesting such hearing and setting forth a brief statement of the grounds therefore, within three (3) business days after the date notice was served. Upon receipt of such petition, the Tree Advisory Commission shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given the opportunity to be heard and to show why such decision of denial should be overturned. After such hearing, the Tree Advisory Commission shall sustain or overturn the decision of the City Forester. Any and all rights of appeal shall be deemed abandoned if a petition for hearing is not filed with the City Forester within three (3) days after such notice of decision is served.

(e) Any individual who removes a City Tree without the permission of the City Forester shall replace the Tree in accordance with Section 28-162 of this ordinance.

Sec. 28-161. Protection During Construction.

1) All Trees on or near the grounds of any construction or excavation project shall be protected using the latest edition of the American National Standards Institute, Inc., Standards for Tree Care Operations -- Tree, Shrub, and other Woody Plant Maintenance -- Standard Practices (Management of Trees and Shrubs During Site Planning, Site Development, and Construction). A copy of these standards shall be on hand in the City Forester's office and be made available to the public.

2) Any person or entity found in violation of subsection (a) of this Section shall be subject to a fine up to Two Hundred Fifty and 00/100 (\$250.00) Dollars per day that the violation persists. The City Forester or his designee shall have the authority to issue citations. All claims regarding citation shall be processed pursuant to §1-5 of the Municipal Code.

3) Any person or entity found in violation of subsection (a) of this Section for which the City Forester determines there is substantial danger of Damage to a Tree or Grove shall post a five (5) year bond in the amount of the replacement value of such Tree(s). Bond shall be forfeited if the City Forester determines that the Tree is dead or moribund within the five (5) year period.

Sec. 28-162. Tree Replacement.

1) If any person removes any Tree on private land with a DBH of thirteen (13) inches or more that is removed without the permission of the City Forester or any Tree on public land with a DBH of four (4) inches or more, regardless of permission, shall be replaced by the property owner or person responsible for removal. Trees with DBH of four (4) inches or more removed in the course of any development project, public or private, are also subject to replacement at the discretion of the City Forester.

(b) The acceptable methods of replacement are:

(1) Replacement of the Tree with a Tree of equal or greater DBH at the location of the tree being replaced or at a different location identified or approved by the City Forester and to be maintained for at least a period of two (2) years from the date of planting by the owner. The owner shall replace any tree that dies during this time period.

(2) An inch-for-inch replacement of the Tree with a number of replacement Trees with DBH of two inches or more totaling the DBH of the original Tree at a location or locations identified or approved by the City Forester. For example, if a Tree with a DBH of twenty-four inches (24") is removed, it may be replaced with six (6) Trees with DBHs of four inches (4").

(3) A payment to the Hartford Tree Account, established in § 28-164 of this ordinance, in the amount of the Tree's assessed value. The assessed value shall be based on the recommendation of the City Forester using as reference the latest revision of The Guide for Plant Appraisal, as published by the International Society of Arboriculture, Urbana, Illinois.

(c) If a Legacy Tree is removed without permission it shall be replaced by Trees that are equivalent to four (4) times the Legacy Tree's assessed value.

(d) The siting of any replacement tree or trees shall require the approval of the City Forester.

Sec. 28-163. Planting Requirement.

-

) All new public and private development project plans shall include plans for Tree planting and protection. No such Tree development project plan may be approved by the Planning and Zoning Commission unless the plan for Tree planting and protection has first been approved by the City Forester.

-

-

) These public and private development project plans shall require the creation and maintenance of canopy coverage of at least fifty (50%) percent after fifteen (15) years over those areas of the site to be developed that will not have buildings on them. The City Forester may grant variances or exceptions to this rule for extenuating circumstances. In such a case, in lieu of planting new Trees, the City Forester may permit payment at the price of \$400 per Tree not included in the plan that would otherwise be necessary to achieve the desired canopy cover. The payment in lieu of planting shall be deposited to the Hartford Tree Account.

-

) All new public and private parking lots shall develop plans for Tree planting that will create and maintain a canopy coverage of at least sixty-six (66%) percent after fifteen (15) years over the areas of the lot that do not have buildings on them. The City Forester may grant variances or exceptions to this rule for extenuating circumstances. In such a case, in lieu of planting new Trees, the City Forester may permit payment at the price of \$400 per Tree not included in the plan that would otherwise be necessary to achieve the desired canopy cover. The payment in lieu of planting shall be deposited to the Hartford Tree Account.

-

) Properties out of compliance with their planting plans may be charged \$800 per Tree for each Tree not planted in accordance with the plan approved by the City Forester and Planning and Zoning Commission. This money shall be deposited in the Hartford Tree Account.

-

) A person may appeal the decision of the City Forester to the Tree Advisory Commission pursuant to the procedure established in Section 28-160(d).

-

From time to time the Tree Advisory Commission and City Forester shall review the aforementioned fee structure and report any recommendations regarding changes to the fee structure to the Court of Common Council for approval.

-

-

Sec. 28-164. Hartford Tree Account

-

(a) There is hereby established a Demand Deposit Account known as the Hartford Tree Account. Such Account is established under authority of the General Statutes and pursuant to § 2-484 for the exclusive purpose of funding activities that implement or promote the purposes of this Article, as expressed in Section 28-152.

(b) The principal of the Hartford Tree Account shall consist of the following:

(1) Up to five (5%) percent of the investment income from the Hartford Park's Trust Fund received on an annual basis;

(2) All fines paid pursuant to Sections 28-159 and 28-161, all processing fees paid pursuant to Section 28-160, all payments made pursuant to Section 28-162 and all payments in lieu of planting made pursuant to Section 28-163;

(3) All gifts and grants from any source, public or private, made to the City and designated for Trees or improvements to the urban forest;

(4) Any funds from any source designated by the Court of Common Council to be added to the Account; and

(5) All investment income earned by the Account.

(c) Expendable money in the Account may be spent for the purposes authorized by this Section upon recommendation of the Mayor and with the approval of the Court of Common Council. Expenditures may be made as follows:

(1) All moneys received by the Account under subsection (b)(1) of this _____

Section shall be used only for the purchase and planting of Trees.

(2) Any restricted moneys received by the Account shall be expended in accordance with their restrictions.

(3) At least half of the remaining unrestricted funds shall be expended for the purchase and planting of Trees.

(4) All other unrestricted funds may be spent for any activity that is consistent with the purpose of the Account.

(d) Any budget proposed by the Mayor or approved by the Court of Common Council, and any appropriation made for the purchase and planting of Trees, must not be reduced, ratably or otherwise, in consideration of any moneys in the Account. Expenditures from the Account shall add to and not replace budgets and appropriations which also serve the purposes of the Account.

(e) Any remaining investment income shall be held in reserve for future transfer and appropriation.

Sec. 28-165. Cumulative Effect and Severability

This Article shall be subject to all applicable State and Federal laws and shall not impede compliance with such laws. The provisions of this Article are in addition to and not in place of any powers, requirements, sanctions or other provisions of State or Federal law. If any provision of this article is held to be invalid by a court of competent jurisdiction, then such provision shall be considered separate and apart from the remaining provisions, which shall remain in full force and effect.

Reading waived

Hearing date – November 15, 2010

Referred to Public Works, Parks and Environment Committee –

**(MAJORITY LEADER BOUCHER) (MINORITY LEADER COTTO) Ordinance
Amending Chapter 2, Article VII, Division 1, Section 2-487 of Code de Use of Proceeds
from sale of City Park Property. HEARING DATE - Monday, November 15, 2010.**

Court of Common Council
City of Hartford
November 8, 2010

**AN ORDINANCE AMENDING CHAPTER 2, ARTICLE VII, DIVISION 1, SECTION 2-487, USE OF PROCEEDS
FROM SALE OF CITY PARK PROPERTY OF THE CITY OF HARTFORD MUNICIPAL CODE**

Be It Ordained by the Court of Common Council of the City of Hartford that Chapter2, Division 1, Section 2-487 be amended as follows:

Sec. 2-487. Use of proceeds from sale of city park property.

(a) The avails from the sale of any park land shall be forthwith deposited in a permanent endowment fund known as

the Hartford Parks Trust Fund as established in subsection (b) of this section.

(b) There is hereby established a permanent endowment fund known as the Hartford Parks Trust Fund. Such fund is established under authority of the General Statutes and pursuant to section 2-484 for the exclusive purpose of funding capital improvements and nonrecurring expenses in the parks and cemeteries of the city including the acquisition of replacement land for park purposes.

(1) The principal of the Hartford Parks Trust Fund shall consist of the following:

a. The proceeds of any sale of any portion of Batterson Park consummated prior to July 11, 1988, which proceeds were not previously deposited in the capital improvements fund and the proceeds of any future sale of any portion of Batterson Park;

b. Any gifts or grants made to the city and designated for park or cemetery improvement purposes;

c. The proceeds of any sale, conveyance or taking of any park land owned by the city;

d. Any funds from any source designated by the council to be added to this permanent endowment fund.

(2) The principal of the Hartford Parks Trust Fund shall be permanent and nonexpendable and shall be invested as follows:

a. Such funds are to be invested under a trust agreement with a trust company as a managing agent in accordance with section 2-484;

b. The investment of such funds shall be with the objective of generating income and growth of income over time consistent with preservation of capital.

(3) Investment income, including capital gains and dividends, is to be expended in the following manner:

a. Upon recommendation of the mayor and with the approval of the council, the investment income from the fund may be transferred to the capital improvements fund and appropriated for capital improvements and nonrecurring expenses in the parks and cemeteries of the city, including the acquisition, development, improvement, maintenance and expansion of park, cemetery and recreation lands, provided that the mayor, in consultation with the city treasurer, determines that sufficient funds remain in the trust fund, after the transfer, to preserve the true value of the principal and to continue to provide a sustainable level of income for the fund into the future.

b. The mayor is authorized to expend annually an amount not to exceed twenty-five (25) percent of the investment income from the fund for acquisition, erection, installation, maintenance, improvement, repair and replacement of park or recreation facilities and equipment and any other capital or nonrecurring expenditure incurred for park or recreational purposes or cemeteries.

c. The mayor is authorized to expend annually up to 5% of the investment income for the Hartford Tree Fund.

~~[c.]d.~~ Any remaining investment income shall be held in reserve for future transfer and appropriation.

~~[d.]e.~~ Each year, the mayor shall recommend a priority list of capital improvements and nonrecurring expenses for the approval of the council. This list may be amended as the need arises, provided the amendments are also approved by the council. A primary factor in establishing such a priority list shall be the frequency of use by the public of the existing resource to be improved, or, in the instance of a proposed new project, the frequency of use by the public of the park or cemetery in which the proposed new project would be located. No funds allocated to or generated by the fund shall be appropriated or spent until the priority list, as may be amended, has been approved by the council.

(4) No funds allocated to or generated by this permanent endowment shall be used for normal operating expenses or routine maintenance or repairs.

(5) No budget proposed or approved or appropriation made for park or recreational purposes or cemetery maintenance shall be reduced, ratably or otherwise, in consideration of any moneys in the fund.

(Code 1977, § 2-15; Ord. No. 9-87, 4-27-87; Ord. No. 42-88, 7-11-88; Ord. No. 8-95, 6-12-95; Ord. No. 19-97, 9-22-97; Ord. No. 19-02, 5-28-02; Ord. No. 09-08, 4-28-08)

Reading waived

Hearing date November 15, 2010

Referred to Operations, Management and Budget Committee

Ordinance de Adding Article IV for the with the purpose of maintaining the focus of the Hartford Police Department to their core public safety mission by limiting their domestic surveillance and immigration enforcement activities. HEARING DATE –

Monday, November 15, 2010

Court of Common Council
City of Hartford
November 8, 2010

*An ordinance to protect the focus of the Hartford Police Department on their core public safety mission by limiting their domestic surveillance and immigration enforcement activities.

Be It Ordained by the Court of Common Council of the City of Hartford that the following new article is appended to Chapter 29 of the Hartford Municipal Code:

ARTICLE IV. LIMITS ON INTELLIGENCE COLLECTION AND PROFILING.

Sec. 29-100. Definitions.

Observation means surveillance, monitoring, or data collection facilitated by human intelligence, undisclosed participation by law enforcement agents or informants, warrantless wiretaps, remote or live imaging, data recorded from cellular telephones, internet, and other telecommunications devices, or other routine or spontaneous investigations.

Data Centers means facilities accepting public funds to facilitate the collection and analysis of data by federal, state, or local law enforcement agencies, or of data concerning non-criminal behavior collected through observation by federal, state, or local law enforcement agencies.

Sec. 29-101. Limits on Intelligence Collection and Surveillance.

(a) The Hartford Police Department shall not participate in intelligence collection programs involving federal immigration agencies, military officials, or private sector data sources. Nor shall the Hartford Police Department engage in efforts to collect or retain information about lawful individuals or groups unless directly related to criminal activity.

(b) The Hartford Police Department shall not pursue, engage in, or support neither electronic nor physical surveillance activities unless supported by a warrant specific to the time, place and target of such surveillance, or reasonable suspicion that a criminal offense has been or may be committed. Suspicion less intelligence collection activities are per se unreasonable and strictly prohibited.

(c) The Hartford Police Department shall disseminate criminal or intelligence information only to law enforcement agencies that:

1. Have a well-established right to know that information notwithstanding the privacy and due process protections of the Fourth and Fifth Amendments to the US constitution.

2. Agree to follow procedures regarding information receipt, maintenance, security, and dissemination which comport with the Fourth Amendment and 28 C.F.R. Part 23, and also provide individuals with an effective opportunity to purge information collected or disseminated in violation of these provisions.

(d) Criminal intelligence collected by local authorities shall be disseminated only to law enforcement agencies; recipients may include neither military nor private sector actors, nor inter-agency collaborations (e.g., fusion centers, Joint Terrorism Task Forces) through which military or private sector actors could gain access to such data.

Sec. 29-102. Individualized Suspicion Requirements Prohibiting Profiling According to Race, Religion or National Origin.

(a)The Hartford Police Department shall conduct searches of individuals in this jurisdiction only on the basis of probable cause that a criminal offense has been committed, or on an alternative basis in accordance with federal law. Reasonable suspicion that an offense has been committed and that a subject is armed may justify a cursory pat down of outer clothing for weapons, but shall not justify a search, seizure, or the collection or retention of intelligence information. Suspicionless searches are per se unreasonable and may not provide a basis for arrest, prosecution or the collection or retention of data for intelligence purposes.

(b) The Hartford Police Department shall not select individuals for surveillance, searches, pat-downs, interrogations, or arrest based in any part on the individual's race, ethnicity,

country of origin, or religion (except where trustworthy information relevant to the locality and timeframe links an individual of a particular race, ethnicity, country of origin, or religion to a specific criminal incident or scheme, along with other factors forming reasonable suspicion.)

(c) Absent reasonable suspicion of criminal activity, agents may not demand an individual's identification. The Hartford Police Department may not collect, disseminate or maintain criminal intelligence information concerning an individual, including DNA information, absent reasonable suspicion that the individual is involved in criminal conduct or activity and the information is directly related to that criminal conduct or activity. No incident reports concerning allegedly suspicious activities shall be reported to databases accessible by federal immigration officials.

Sec. 29-103. Measures to Verify Potential Profiling.

(a) Following any stop, search or frisk, interrogation or interview, arrest, or any monitoring or assessment of any person or community, the agent initiating that activity shall record the following information about the subject on a standardized Encounter Form:

1. The date, time, and location of the investigatory activities;
2. The particular investigatory tactics employed;
3. The nature of the suspicion prompting the investigatory activity, and the specific basis for that suspicion;
4. The approximate age of the person searched or interrogated;
5. The sex and gender of the person searched or interrogated;
6. The country or region of origin of the person observed, searched, or interrogated;
7. the religion of the person observed, searched, or interrogated.
8. The race or ethnicity of the person observed, searched, or interrogated, as perceived by the law enforcement official.

(b) The identification of characteristics of sex, gender, age, country of origin, religion and race shall be based on the observation and perception of the agent responsible for reporting the stop and the person stopped shall not be asked to provide the information.

(d) At the time of the interaction, agents shall record a detailed description of any search conducted, including the documents, files, or other units of stored electronic information searched, as well as the amount of time, if any, during which the subject(s) of the investigatory activities was detained, and whether force was employed and the effect of such force on the subject(s).

(c) Encounter Forms shall be identifiable by sequential serial numbers. Those assigned to particular agents will be tracked and recorded. Agents shall deliver copies of each Encounter Form to the Hartford Police Department, which shall periodically deliver them to an independent entity for aggregation and analysis.

(d) Subjects of investigatory activities such as stops, frisks, interrogations, searches or arrests shall receive copies of the Enforcement Form relating to their interaction, as well as guidance on how to file a complaint or commendation of the agent with whom they interacted. Subjects of observation shall not receive such documentation.

(e) Data collected pursuant to this provision shall (i) exclude personally identifiable information; (ii) be stored separately from databases accessible to operational law enforcement personnel from any agency; (iii) be maintained securely, protected by encryption or other security measures to protect against theft or unauthorized access, and; (iii) be audited and analyzed on an annual basis by an independent entity responsible for analyzing the data.

(f) The information described above shall be provided in aggregate form to the public and Court of Common Council every 6 months. The information shall also be available to litigants who allege discriminatory profiling, or criminal defendants seeking to exclude evidence obtained through an allegedly unconstitutional search.

Sec 29-104. Limits on Undercover Infiltration and Political Profiling.

(a) The Hartford Police Department shall neither engage in undercover infiltration of, nor undisclosed participation of any kind in groups or organizations pursuing First Amendment-protected activity, without probable cause that a criminal offense has been committed. Nor shall local authorities conduct pretextual interviews of individuals affiliated with such groups concerning the organizations' activities.

(b) The Hartford Police Department shall not select organizations, associations, or institutions for investigative scrutiny, to any extent, on the basis of First Amendment-protected (e.g., speech, political or religious) activities.

(c) Local authorities shall not collect, disseminate or maintain criminal intelligence information about the political, religious or social views, associations, or activities of any individual or any group, association, corporation, business, partnership, or other organization unless such information directly relates to criminal conduct or activity and there is probable cause to believe that the subject of the information is or may be involved in criminal conduct or activity.

(d) Any investigation involving religious institutions or political organizations shall be pursued

through the most minimally invasive methods available, and shall be subject to recurring examination by senior officials and independent oversight.

Sec 29-105. Limits on Cooperation with Federal or Military Officials.

(a) Unless expressly obligated by Federal Law, activities undertaken by The Hartford Police Department in coordination with federal counterparts, including joint intelligence analysis activities with private sector data sources, or federal intelligence shall be strictly limited to

1. Law enforcement involving the investigation of suspected criminal acts that have been committed, or
2. A public emergency, as defined in Chapter V, Section 2(p) of the Charter, or
3. A State of Emergency declared by the Governor of the State of Connecticut or an appropriate Federal authority.

(b) Local agencies may coordinate their activities with military or National Guard personnel only to the extent their activities relate to disaster preparedness and recovery. Under no circumstances shall due process be suspended: even in the event that a natural disaster precludes the operation of courts, local agencies shall detain suspected criminals and provide Due Process at the earliest opportunity; agents may not execute suspects without judicial process.

(c) The Hartford Police Department shall not engage in agreements with the Department of Homeland Security pursuant to section 287(g) of the Immigration and Nationality Act, nor shall they provide support for immigration enforcement activities in coordination with federal officials, nor shall local facilities be used to detain individuals held for suspected immigration violations.

Sec 29-106. Training.

The Hartford Police Department shall conduct training activities within ninety (90) days of the passage of this article to ensure that all officers are knowledgeable about the provisions of this ordinance.

Sec. 29-107. Severability.

If any provision of these sections is held to be invalid by a court of competent jurisdiction, then such provision shall be considered separate and apart from the remaining provisions, which shall remain in full force and effect.

Reading waived

Hearing date November 15, 2010

Referred to Quality of Life and Public Safety Committee

RESOLUTIONS

***The Cultural Dance Troupe of the West Indies de Allocation of funds from the City's Contributions towards Public Programs Account to.**

Resolution – Minority Leader Cotto:

Resolved, That the Court of Common Council hereby allocates \$6,500.00 to the Cultural Dance Troupe of the West Indies from the “City Contributions towards Public Programs” account; and, be it further

Resolved, That the Cultural Dance Troupe of the West Indies shall follow the precepts and procedures of the resolution passed by the Court of Common Council on August 10, 2009 (Item # 65) when applying for these funds, notwithstanding any updated procedures created for the Fiscal Year 2010-2011 allocation cycle.

The resolution was passed as amended on the following roll-call vote:

Yeas: Councilpersons, Airey-Wilson, Aponte, Boucher, Cotto, Ritter, Torres and Winch.7

Absent: Councilpersons, Deutsch, Kennedy.2

The Hartford Public Library de Permission to serve alcohol at an event for the Latino Empowerment Fund at.

Resolution – Minority Leader Cotto:

Whereas, The Hartford Public Library wishes to serve alcohol at an event for the Latino Empowerment Fund at the Hartford History Center at the Main Branch of the Hartford Public Library (500 Main Street) from 5:30 to 8:00pm on November 30, 2010; and

Whereas, The City of Hartford insures the Hartford Public Library; an additional certificate of insurance is not required as the Library is a City agency; now, therefore, be it

Resolved, That the Court of Common Council grants permission to the Hartford Public Library to serve alcohol at the aforementioned event under the condition that the proper permits, if required, are obtained from the Liquor Control division of the Connecticut Department of Consumer Protection.

Referred to Public Works, Parks and Environment Committee

The Special Event Overtime Account de Request that the Chief Operating Officer directs the appropriate staff to investigate the budget variance and place a moratorium on.

Resolution – Minority Leader Cotto:

Whereas, To help offset the fees associated with special events in the City of Hartford, non-profit organizations may apply for a partial fee waiver in the form of a Council resolution; and

Whereas, Funds for the partial fee waivers are drawn from the “Special Event Overtime” account, which contained five hundred and fifty thousand dollars (\$550,000.00) in the FY 2010-2011 budget; and

Whereas, The “Special Event Overtime” account is approximately two hundred thousand dollars (\$200,000.00) over budget just over three months into FY 2010-2010; and

Whereas, There has been substantial billing to this account for non-special events related activities, leading to the significant budget variance; now, therefore, be it

Resolved, That the Court of Common Council requests that the Chief Operating Officer directs appropriate staff to investigate this budget variance, determine what sources are drawing the account down and provide recommendations to mitigate these circumstances with thirty (30) days of the passage of this resolution; and, be it further

Resolved, That the Court of Common Council declares a temporary moratorium on partial fee waivers for special events until a thorough accounting of the “Special Event Overtime” account is completed and a plan for usage of the account for the remainder of the fiscal year is created.

The resolution was passed, as amended, on the following roll-call vote:

Yeas: Councilpersons, Aponte, Boucher, Cotto, Ritter, Torres and Winch. 6

Absent: Councilpersons, Airey-Wilson, Deutsch, Kennedy. 3

Various programs de Allocation of funds from the City's Contributions towards Public Programs Account to.

Resolution - Councilwoman Veronica Airey-Wilson :

Resolved, That the Court of Common Council allocate City contributions to the following programs:

- 1) Martin Luther King Soccer League
- 2) West Indian Foundation Youth Day Program
- 3) CURET (Caribbean Urban Research Education & Training)

Referred to Operations, Management and Budget Committee

Various Public Programs de Allocation of funds from the City's Contributions towards Public Programs Account to.

Resolution – Councilman Deutsch:

Resolved, That the Court of Common Council allocate City Contributions Toward Public Programs as follows:

Guakia Inc - \$20,000
Artists Collective Inc – \$8,400
Hartbeat Ensemble – \$3,000

San Juan Center - \$600

Referred to Operations, Management and Budget Committee

City contracts for health administrative services, insurance and benefits de Consideration of alternatives for.

Resolution – Councilman Deutsch:

Whereas, Current contracts for administrative and health insurance benefit services with Anthem / WellPoint / BlueCross/BlueShield have been unsuccessful in limiting premiums, charges, and fees for the City of Hartford -- its employees, retirees, and government – and

Whereas, Current negotiations with major area health providers such as Hartford Hospital and Individual medical practitioners have been unsuccessful in providing reimbursement rates satisfactory for their adequate operation to meet health services needs for our Hartford regional-area population, and

Whereas, A recent report from the Human Resources Department (Health Benefits section) has supported searching for better comprehensive health service quality and lower priced alternatives in addition to Anthem / WellPoint / BlueCross/BlueShield to offer our City's employees and retirees, therefore be it

Resolved, That the City administration vigorously and promptly consider alternatives for City contracts for health administrative services, insurance, and benefits considering quality price and employment for Hartford employees, retirees, and government.

Referred to Health and Human Services Committee

Homeless shelter services for women and families de Funding through the Department of Human Services as a regular item in the City's annual budget for.

Resolution – Councilman Deutsch:

Whereas, The Universal Declaration of Human Rights [United Nations, 10 December 1948, Article 25] states that (1) “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing...” and (2) Motherhood and childhood are entitled to special care and

assistance...” and

Whereas, this “no freeze” policy must apply to all regardless of age or gender with “emergency shelter and accommodations for... individuals who have no alternate refuge from the cold”, and

Whereas, in recent years there has been insufficient housing for women and families during the “no freeze” season and no regular budgetary allocation for such services, therefore be it

Resolved, That it is the policy of this Council, as long as the need exists to eliminate homelessness from this City, that there be regular, comparable, and sufficient funding through the Department of Health and Human Services for “no freeze” homeless shelter services for women and families as a regular item in the City’s annual budget.

Referred to Operations, Management and Budget Committee

Hartford residents and government de Consideration of alternatives for City contracts for banking services, quality, price and employment for.

Resolution – Councilman Deutsch:

Whereas, Foreclosures suffered by Hartford homeowners, tenants, and landlords on homes and apartment buildings were recently suspended due to massive irregularities, inaccuracies, and unfairness to mortgage holders, and

Whereas, Certain major lenders including Bank of America have resumed imposing such questionable foreclosures upon Hartford area residents, and

Whereas, The City of Hartford utilizes Bank of America for many financial and administrative functions, and

Whereas, Other financial institutions, especially Connecticut-based banks, may be able to provide such services with consideration of local employment as well as prices for services, therefore be it

Resolved, That the City administration vigorously and promptly consider alternatives for City contracts for banking services, quality, price and employment for Hartford residents and government.

Referred to Operations, Management and Budget Committee

The General Fund or some other source de Allocation of funds to Salvation Army's Marshall House for "no freeze" shelter for women and families through a second quarter transfer from.

Resolution – Councilman Deutsch:

Whereas, Documented turn away rates for the 2007/2008 season (according to Salvation Army statistics) resulted in 84 turn away from the Salvation Army, 106 from CRT, 429 from Immaculate Conception, and 764 from South Park Inn, and

Whereas, On December 1, 2009 the Salvation Army Marshall opened its overflow shelters (usually participating motels) to accommodate some of the many homeless families in Hartford, and

Whereas, The Salvation Army Marshall House has space on the second floor of the Marshall Street facility for a overflow shelter for the “no freeze” period at a cost of at about \$75,000, therefore be it

Resolved, That the Salvation Army’s Marshall House is the “no freeze” shelter for women and families in these urgent situations pending future availability of transitional or permanent housing, and be it further

Resolved, That the Court of Common Council commits and guarantees to find a funding for this purpose through the department Health and Human Services as it has done for the “no freeze” shelter that houses men, also be it further

Resolved, That this allocation be made through a second quarter fund transfer from the General Fund or some other source to the Department before the end of the 2009/2010 fiscal year.

Referred to Operations, Management and Budget Committee

EXECUTIVE SESSION

The meeting was recessed 7:26 pm

The Executive Session commenced 7:27 pm

Present: Councilpersons, Aponte, Boucher, Cotto, Kennedy, Torres and Winch.

Also present: Deputy Corporation Counsel Carl Nasto

Note: Councilwoman Airey-Wilson was absent for the Executive Session

A motion was made to discuss the resolutions pertaining to:

1. Marcos Colon v. City of Hartford
2. Heriberto Rodriguez v. City of Hartford
3. Richard Lergrier v. City of Hartford
4. Myrna Capasso-Rubio v. City of Hartford
5. Vittorio Pettino v. City of Hartford

The Executive Session adjourned at 7:50 pm

The meeting reconvened at 7:51 pm

The present Councilpersons were polled for a vote and the motion passed unanimously.

The meeting was adjourned at 7:52 pm

Attest

: John V. Bazzano

Town and City Clerk