

AGENDA
MEETING OF THE COURT OF COMMON COUNCIL
SEPTEMBER 27, 2010

MONDAY EVENING, September 27, 2010

The meeting was called to order by Her Honor Council President rJo Winch, at 7:00 P.M.

Present: Councilpersons, Veronica Airey-Wilson, James M. Boucher, Larry Deutsch, Kenneth H. Kennedy, Jr., Matthew D. Ritter, Calixto Torres, Alexander Aponte and rJo Winch

Absent: Councilman Luis E. Cotto

Also Present: Corporation Counsel: Saundra Lee Borges.

The meeting was opened with a minute of silence

Recitation of the Pledge of Allegiance

Items considered on the Consent Calendar: See Paragraphs*

Items consider under suspension of Rule XIV were approved by roll-call vote 8 to 0. See Paragraphs **

COMMUNICATIONS

***MAYOR SEGARRA, with accompanying resolution de Authorization to sign an agreement between the State of Connecticut and the City of Hartford for the Coltsville Corridor Streetscape Improvement Project.**

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

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

Dear Council President and Council members:

Enclosed for your consideration is a resolution authorizing the execution of the agreement between the State of Connecticut and the City of Hartford for the Coltsville Corridor Streetscape Improvement project. The State DOT requires this agreement in order for the City to receive initial financial reimbursement for the project.

Specifically, the agreement is entitled “Agreement between the State of Connecticut and the City of Hartford for the Development of Contract Plans, Specifications, and Estimates for the Streetscape Improvements for Coltsville Corridor Utilizing Federal Funds from the Project Specific Funding Program, State project No. 63-626, Federal Aid Project No H056(001)”.

In summary, this agreement will provide the City with 100% of the funding needed to complete the design and contract documents for the project. The maximum “Reimbursement to the Municipality” under this agreement will be \$849,656. Reimbursement for actual construction expenses for the improvements will be addressed under a separate City-State agreement following the design phase.

I recommend your approval of this resolution.

Respectfully submitted, Pedro E. Segarra, Mayor

Whereas, Federal funding has been secured to provide for the design and construction of streetscape improvements in the Coltsville corridor area, including Huyshope, Van Dyke, Sequassen, and surrounding streets, and

Whereas, The construction phase(s) of the project, for which federal funding is also available, will be addressed under future City-State agreements, and

Whereas, Funds are being made available to the City through the State of Connecticut and an initial City-State agreement has been received that will provide funding in the amount of \$849,656 which will reimburse the City for 100% of the eligible costs of professional services needed to prepare contract plans, specifications, and estimates for the project; now, therefore be it

Resolved, That the Mayor is hereby authorized to sign the agreement entitled “Agreement between the State of Connecticut and the City of Hartford for the Development of Contract Plans, Specifications, and Estimates for the Streetscape Improvements for Coltsville Corridor Utilizing Federal Funds from the Project Specific Funding Program, State project No. 63-626, Federal Aid Project No H056 (001)”, and be it further

Resolved, That the Mayor is hereby authorized to sign a certification indicating that the Council adopts, as its policy, to support the Nondiscrimination Agreements and warranties required under the Connecticut General Statutes, 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, Deutsch, Kennedy, Ritter, Torres and Winch. 8

Absent: Councilperson Cotto. 1

MAYOR SEGARRA, with accompanying resolution de Authorization to execute an amendment to an agreement with the Connecticut Resources Recovery Authority.

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

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

Dear Council President and Council members:

Attached for your consideration is a resolution authorizing the execution of an amendment to an agreement with the Connecticut Resources Recovery Authority (CRRA), which provides for payments in lieu of taxes on property, located at 2 Reserve Road in the South Meadows, which is owned by CRRA.

The City and CRRA are parties to an agreement, originally executed in 1982 and subsequently amended, which established payments in lieu of taxes for properties owned by CRRA. Details of the agreement and amendments are provided in the attached resolution. On April 8, 2009, the Authority acquired property at 2 Reserve Road, known as “Parcel 3”, from The Connecticut Light & Power Company. CRRA’s acquisition of this real property had the effect of removing that property from the City’s Grand List. Subject to Council approval, City staff has negotiated an amendment to the agreement which provides for CRRA to make additional payments in lieu of taxes for Parcel 3.

The proposed amendment to the City-CRRA agreement provides for CRRA to make a payment in lieu of taxes for Parcel 3 during the first year in the amount of \$106,618. This amount is based upon the most recent assessed value of the property. In addition, the proposed agreement provides for future cost of living adjustments to the payment in lieu of taxes, in accordance with Section 5(b) of the June 30, 1991 agreement. CRRA’s board of directors will approve the amendment prior to its execution by the City.

I recommend that the Court of Common Council adopt the attached resolution authorizing me to execute the amendment and to take steps reasonably necessary to implement its terms.

Respectfully submitted, Pedro E. Segarra, Mayor

Whereas, The City entered into an agreement with the Connecticut Resources Recovery Authority (hereafter “Authority”) in June 1982 whereby the Authority agreed to make payments to the City in lieu of taxes pursuant to C.G.S. Section 22a-270 and 22a-270a regarding real and personal property owned by the Authority and located in the City; and

Whereas, Thereafter, the City and the Authority entered into a subsequent agreement on June 5, 1991, by which they terminated their agreement of June 1982 and substituted a different agreement for payment in lieu of taxes pursuant to C.G.S. Section 22a-270 and 22a-270a regarding real and personal property owned by the Authority and located in the City (the “Agreement”); and

Whereas, Thereafter, the City and the Authority entered into a subsequent amendment of the Agreement on April 18, 2002 (the “First Amendment”) for the Authority to make payments to the City in lieu of taxes with respect to the real and personal property the Authority had acquired on April 30, 2001 from CL&P commonly known as “South Meadows Station” in the City; and

Whereas, On April 8, 2009, the Authority acquired certain real property from The Connecticut Light & Power Company (hereafter “CL&P”) located at or held in connection with a parcel of real property commonly known as “Parcel 3”, located at 2 Reserve Road in the South Meadows, thereby removing such property from the City’s grand list; and

Whereas, The City now desires to execute another amendment of the Agreement (the “Second Amendment”) 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; and

Whereas, The proposed Second Amendment provides for payment by the Authority in lieu of taxes during the first fiscal year of the agreement in the amount of \$106,618 for Parcel 3. These amounts are based upon the most recent assessed value of the real property; and

Whereas, The proposed Second Amendment further provides for payments in subsequent fiscal years to be adjusted in accordance with Section 5(b) of the June 30, 1991 agreement, which adjusts payments in lieu of taxes to reflect the change in the cost of living as determined under the United States Consumer Price Index for All Urban Consumers (Cross Classification of Region and Population Size Class, Northeast/Size Class C Index, All Items), published by the Bureau of Labor Statistics, United States Department of Labor; and

Whereas, The Authority’s board of directors will approve the Second Amendment prior to its execution

Resolved, That the Mayor is hereby authorized to execute the Second Amendment and to enter into such other documents as necessary, and to take any other actions as are reasonably necessary to effectuate the purposes described above, and be it further

Resolved, That all of the aforementioned documents shall be subject to the approval as to legality and form by the Corporation Counsel prior to execution by the Mayor; and be it further

Resolved, That in the event that the Second Amendment has not been executed within 60 days following the date of the passage of this resolution, this resolution may be deemed to have been rescinded and the any authorizations withdrawn, provided that the Mayor may extend the deadline if it is determined that sufficient progress has been made to warrant such extension; and be it further

Resolved, That no person or entity shall be entitled to rely on or claim any benefit by reason of this resolution in the event that the City Of Hartford fails to effectuate the transaction described in this resolution.

Referred to Operations Management and Budget Committee

***MAYOR SEGARRA, with accompanying resolution de Authorization to apply for and receive funds to continue the Women, Infants and Children (WIC) Program.**

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

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

Dear Council President and Council members:

Enclosed for your consideration is a resolution authorizing the City to apply for and receive \$2,690,356 in grant funds to continue the Women, Infants, and Children (WIC) program.

The U.S. Department of Agriculture (USDA), Food and Nutrition Service (FNS) makes Federal Grant funds available through the Connecticut Department of Public Health (DPH) to the City of Hartford to support the mission of the WIC program which is “to safeguard the health of low-income women, infants, and children up to age 5, who are at nutrition risk, by providing nutritious foods, information on healthy eating, and referrals to health care”.

Hartford’s Women, Infants, and Children (WIC) program has been operated by the Department of Health & Human Services since 1978. The WIC program provides supplemental foods, health care referrals and nutrition education for low-income pregnant, breastfeeding, and non-breastfeeding postpartum women, and to infants and children up to the age of five who are found to be at nutritional risk.

The WIC grant term is from October 1, 2010 – September 30, 2012 and a funding level of approximately \$ 2,690,356 is expected. The funds are used for personnel and program supplies and no match is required. The WIC coupons and vouchers that clients receive are provided by the CT Department of Public Health.

I recommend your approval of the attached resolution.

Respectfully submitted, Pedro E. Segarra Mayor

Whereas, The U.S. Department of Agriculture (USDA), Food and Nutrition Service (FNS), via the Connecticut Department of Public Health provides funds to local health departments in the form of Grant Funds; and

Whereas, Hartford has been receiving these funds since 1978 to provide supplemental foods and nutrition education for low-income pregnant, breastfeeding and non-breastfeeding postpartum women, and to infants and children up to the age of five who are found to be at nutritional risk; and

Whereas, The number of WIC clients has increased in the past two years from 9,000 to 11,000 and the Department of Health and Human Services therefore seeks to continue to provide WIC services; and

Whereas, WIC services have been recognized as one of the most cost-effective preventive nutrition programs in improving birth weight, motor and visual skills and in reducing the incidence of anemia in low-income children; and

Whereas, The State Department of Public Health has made available approximately \$2,690,356 to the City of Hartford to continue its efforts to reduce nutritional deficiency in women, children, and infants for the period of October 1, 2010 to September 30, 2012, now therefore be it

Resolved, That the Mayor is hereby authorized to accept the above grant funds from the Connecticut Department of Public Health; and be it further

Resolved, That City of Hartford hereby adopts as its policy to support the Non-Discrimination Agreements and Warranties required under Connecticut General Statute § 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, 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, Deutsch, Kennedy, Ritter, Torres and Winch. 8

Absent: Councilperson Cotto. 1

***MAYOR SEGARRA, with accompanying resolution de Authorization to apply for and receive funds from the Connecticut Association of Directors of Health, Inc., to continue the lead poisoning prevention efforts**

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

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

Dear Council President and Council members:

Attached for your consideration is a resolution authorizing the City to apply for and receive grant funds from the Connecticut Association of Directors of Health, Inc. (CADH) to continue the Department of Health & Human Services' lead poisoning prevention efforts.

It is expected that the grant will be approximately \$66,834 and will be for the period September 1, 2010 – June 30, 2011. These funds will support the continuation of the Lead Poisoning Prevention Program which provides childhood lead poisoning prevention and intervention services.

I recommend your passage of the attached resolution.

Respectfully Submitted, Pedro E. Segarra, Mayor

Whereas, The City of Hartford is committed to the elimination of lead poisoning of Hartford's children; and

Whereas, Education about lead poisoning and its consequences is an important component of program efforts by the City of Hartford's Department of Health and Human Services (HHS) to achieve this goal; and

Whereas, The Connecticut Association of Directors of Health, Inc. (CADH) have set an objective of exploring a different approach to produce more equitable health outcomes for Connecticut residents; and

Whereas, CADH is working in collaboration with the State Department of Public Health to facilitate the distribution of funding to local health departments in achieving this goal; and

Whereas, CADH has made available approximately \$66,834.00 to the City of Hartford which will be utilized by the Department of Health & Human Services to continue its efforts to reduce the cases of childhood lead poisoning during the period of September 1, 2010 to June 30, 2011; now therefore be it

Resolved, That the Mayor is authorized to accept these grant funds from the Connecticut Association of Directors of Health, Inc., 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, Deutsch, Kennedy, Ritter, Torres and Winch. 8

Absent: Councilperson Cotto. 1

MAYOR SEGARRA de Request to enter into Executive Session to discuss the resolution of Etienne Ruiz v. City of Hartford

Communication was received from Mayor Segarra, as follow:

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

Dear Council President and Council members:

I respectfully request that the Court of Common Council enter into Executive Session during the Council meeting on Monday, September 27, 2010. A brief session is necessary in order to discuss the resolution of Etienne Ruiz v. City of Hartford.

Thank you for your consideration.

Respectfully submitted, Pedro E. Segarra, Mayor

Received

MAYOR SEGARRA de Request to enter into Executive Session to discuss the resolution of USA Contractors v. City of Hartford.

Communication was received from Mayor Segarra, as follow:

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

Dear Council President and Council members:

I respectfully request that the Court of Common Council enter into Executive Session during the Council meeting on Monday, September 27, 2010. A brief session is necessary in order to discuss the potential resolution of the USA Contractors v. City of Hartford action.

Thank you for your consideration.

Respectfully Submitted, Pedro E. Segarra, Mayor

Received

QUALITY OF LIFE AND PUBLIC SAFETY COMMITTEE de Request to have a special joint meeting with Quality of Life and Public Safety Committee to discuss school safety issues.

Communication was received from Councilman Torres, as follow:

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

Dear Council President and Council members:

Your Quality of Life & Public Safety Committee held its regular schedule meeting on September 21, 2010, in the Council Chambers.

Present at the meeting Chairman Calixto Torres, committee members James M. Boucher & Matthew D. Ritter. Fire Chief Edward Casares & Lt. Gregory Sargis of HFD, David Panagore Chief Operating Officer and Nathalie Feola-Guerrieri Assistant Corporation Counsel and City Staff.

Committee member James M. Boucher requested to add an item to the Quality of Life & Public Safety agenda; Committee member Matthew D. Ritter made a motion under FOI the community must be informed of any changes made to an agenda and a vote was taken to add the following item: The request to have a special joint committee meeting with Quality of Life & Public Safety Committee with the Education Committee to discuss school safety issues.

Respectfully Submitted, Calixto Torres, Chairman

Received

REPORTS

HEALTH AND HUMAN SERVICES COMMITTEE, with accompanying resolution de Authorization to create a

one time amnesty program associated with certain late fees owed by certain food service license holders.

Report was received from the Chairperson of the Health & Human Services Committee, as follows:

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

Referred to Operations Management and Budget Committee

LABOR AND WORKFORCE DEVELOPMENT COMMITTEE, 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.

Report was received from the Chairperson of 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 President and 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:

1. 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 was postponed until October 12, 2010

***HOUSING COMMITTEE, with accompanying substitute resolution de Authorization to enter into settlement agreement for properties located at 126-128 and 130-132 New Park Avenue, 8-10 Francis Avenue and 161 Francis Avenue.**

Report was received from the Chairperson of the Housing Committee, with accompanying substitute resolution, as follows:

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

Dear Council President and Council members:

On Tuesday, September 21, 2010 at 6:30, the Housing Committee held a meeting to discuss the following referred item:

COMMUNICATION FROM MAYOR SEGARRA, WITH ACCOMPANYING RESOLUTION DE AUTHORIZATION TO ENTER INTO SETTLEMENT AGREEMENT FOR PROPERTIES LOCATED AT 126-128 AND 130-132 NEW PARK AVE, 8-10 FRANCIS AND 161 FRANCIS AVENUE.

Present at said meeting were Veronica Airey-Wilson, Housing Chair, Jim Boucher, Councilman, David Panagore, Development Services, Yasha Escalera, Development Services, Ben Bare, Corporation Counsel, Julianne Lugo, Development Services, David Morin, Parkville NRZ and Yvette Mosely, City Council.

Chairwoman Airey-Wilson introduced the item. David Panagore, Development Services, made a recommendation to permit the City of Hartford to accept quitclaim deeds for vacant lots located at 126-128 New Park Avenue, 8-10 Francis Court, 161 Francis Avenue and one vacant blighted building located at 130-132 New Park Avenue. The properties are currently owned by Vincent Guiliano. The City's intention for the properties, located adjacent to Stop and Shop on New Park Avenue, is to combine them to make one larger parcel for future development. Ben Bare, Corporation Counsel added that the properties located at 126-128 New Park and 8-10 Francis Court were currently going through the foreclosure process due to unpaid property taxes and blight liens.

The Committee asked whether there were plans for immediate development. David Panagore relayed that there were no immediate plans for development, but that an update would be given to the Council within the next several months. The Committee communicated concern regarding the maintenance of the site while plans are being considered for

development. David Panagore stated that the redevelopment agency would be responsible for the maintenance. David Morin, Parkville NRZ, requested that the remaining building (130-132 New Park Avenue) be immediately demolished and that a fence is installed to secure the property.

After further discussion, the Committee made a motion to move the item to Council favorable 2.0. (A substitute resolution is being submitted to reflect a correction in the property address 130-132 New Park Ave)

Respectfully submitted, Veronica Airey-Wilson, Chairperson

Whereas, The City of Hartford intends to take title to 126-128 and 130-132 New Park Avenue, 8-10 Francis and 161 Francis Avenue in the City of Hartford (together the “Properties”), and

Whereas, The City Of Hartford agrees to accept quitclaim deeds from Vincent Guiliano (the “Owner”) for the Properties in exchange for the dismissal of foreclosure pending on 126-128 New Park and 8-10 Francis Court in accordance with the terms and provisions of foreclosure settlement agreement to be executive by the City and owner (the “Settlement Agreement”), and

Whereas, The City will take title to the Properties free of any encumbrances other than those expressly stipulated in the Settlement Agreement; now therefore, be it

Resolved, That the Mayor is authorized to enter into the Settlement Agreement with the owner, or an affiliated entity established for such purpose, on an “AS IS” basis; and be it further

Resolved, That the Settlement Agreement Shall (i) contain such other provisions regarding the conveyance as the Mayor and the Corporation Counsel deem necessary to protect the interests of the City (ii) contain such provisions as are customary in real estate conveyances in Hartford County; and be it further

Resolved, That should Seller fail to produce clear title to the Properties prior to closing, the Settlement Agreement and any other rights conferred by this resolution shall expire automatically with no further action of the Council necessary; and be it further

Resolved, That the acceptance of quitclaim deeds to the Property in accordance with the Settlement Agreement is hereby approved; and be it further

Resolved, That the Mayor is hereby authorized to enter into such other actions (including, but not limited to, executing such other documents and entering into such other agreements) as are reasonable necessary to effectuate the acceptance of the Properties in accordance with the Settlement Agreement, whenever appropriate; and be it further

Resolved, That all of the aforesaid documents shall be subject to approval as to form and legality by the Corporation Counsel Prior to their execution by the mayor; and be it further

Resolved, That no person entity shall be entitled to rely on, or claim any benefit by reason of, this resolution in the event the City Of Hartford fails to accept the Property from the Owner.

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

Yeas: Councilpersons, Airey-Wilson, Aponte, Boucher, Deutsch, Kennedy, Ritter, Torres and Winch. 8

Absent: Councilperson Cotto. 1

QUALITY OF LIFE AND PUBLIC SAFETY COMMITTEE de Ordinance amending Chapter 13, Article III, of Code de Novelty Lighters.

- Report was received from the Chairperson of the Quality of Life and Public Safety Committee, as follows:

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

Dear Council President and Council members:

Your Quality of Life & Public Safety Committee held its regular schedule meeting on September 21, 2010, in the Council Chambers to discuss the following referred item:

(COUNCILMAN TORRES) Ordinance amending Chapter 13, Article III, of Code de Novelty Lighters. HEARING DATE - Monday, September 20, 2010

Present at the meeting Chairman Calixto Torres, committee members James M. Boucher & Matthew D. Ritter. Fire Chief Edward Casares & Lt. Gregory Sargis of HFD, David Panagore Chief Operating Officer and Nathalie Feola-Guerrieri Assistant Corporation Counsel and City Staff.

The Quality of Life & Public Safety committee was called at 5:30pm by the Chairman after a lengthy discussion motion was made to by committee member Ritter and seconded by committee member Boucher to postpone action on this item so that Corporation Counsel can further review and make changes. This item will come back to the Quality of Life & Public Safety Committee after review from Corporation Counsel.

Respectfully Submitted, Calixto Torres, Chairman

Action was postponed until October 12, 2010

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FOR ACTION

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 ordinance 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, was again considered.

Action was postponed until October 12, 2010

Report, with accompanying resolution de 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.
September 27, 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 was postponed until October 12, 2010

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, was again considered.

Action was postponed until October 12, 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 ordinance 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, was again considered.

- Action was postponed until October 12, 2010

Resolution de Authorization to execute purchase and sale agreement for 18 and 20 Liberty Street.

Resolution introduced August 23, 2010, action postponed on that date until September 13, 2010, action postponed on that date until September 27, 2010, was again considered.

Withdrawn

***Resolution de Appointment of Dr. Robert Painter to the Capital Region Council of Governments (CRCOG).**

Resolution - Mayor Segarra, Council President Winch, Majority Leader Boucher, Councilman Kennedy, Councilman Torres, Councilman Ritter, Councilman Aponte.

Whereas, The City of Hartford has several positions on the Capitol Region Council of Governments (CRCOG) Policy Board, and there has been a vacant Hartford seat open for over a year; and

Whereas, A number of critical decisions impacting Hartford and the region will be made by CRCOG regarding such issues as transportation, solid waste disposal, community services and regional cooperation and services; and

Whereas, It is important for Hartford to have experienced leadership representing the City in addition to the Mayor and City Council (presently sitting on the Council); and

Whereas, Candidate (former councilman) Dr. Robert Painter has strong experience, and leadership on these regional

issues; therefore be it

Resolved, That Dr. Robert Painter is appointed to serve on the Capital Region Council of Governments (CRCOG) Policy Board.

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

Yeas: Councilpersons, Airey-Wilson, Aponte, Boucher, Deutsch, Kennedy, Ritter, Torres and Winch. 8

Absent: Councilperson Cotto. 1

Ordinance amending Chapter 29 of the Hartford Municipal Code, de Creating a new article 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.

Action was postponed until October 12, 2010

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PROPOSED ORDINANCE

Ordinance amending Chapter 2A, Article II, Section 2A-25 of Code de NBU-GG provisions. (Voluntary Retirement Incentive Program).

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Proposed ordinance was introduced by the Mayor, as follows:

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

Dear Council President and Council members:

Attached for your consideration is an ordinance amending the Municipal Code to create a Voluntary Retirement Program for non-bargaining unit General Government employees who retire on or before December 31, 2010.

On September 13, 2010, the Court of Common Council adopted a resolution authorizing me to develop and offer an employee retirement incentive program in accordance with certain options and criteria. The attached ordinance incorporates and implements the requirements of that resolution.

I respectfully request your passage of this ordinance.

Respectfully Submitted, Pedro E. Segarra, Mayor

AN ORDINANCE AMENDING CHAPTER 2A, ARTICLE II, SECTION 2A-25 OF THE HARTFORD MUNICIPAL CODE

Court of Common Council
City of Hartford
September 27, 2010

Be It Ordained by the Court of Common Council of the City of Hartford:

That Chapter 2A, Article II, Section 2A-25 of the Hartford Municipal Code is hereby amended by adding the following subsection:

(i) Voluntary Retirement Incentive Program (VRIP) for NBU-GG employees whose last day of work is December 31, 2010.

(1) For purposes of this subsection an “eligible NBU-GG employee” refers to a vested Non-Bargaining Unit General Government (NBU-GG) employee, a vested Non-Bargaining Unit Police or Fire (NBU-P/F) employee, who in accordance with the provisions of Sec. 2A-30 has elected to receive non-bargaining pension benefits, and a vested non-bargaining unclassified general government employee who is a member of the fund.

(2) An eligible NBU-GG employee, who is eligible for a normal, alternate normal, or early retirement, on or before December 31, 2010, may elect one of the following retirement incentive options:

OPTION 1:

Up to a maximum of three (3) years of City-paid health insurance under one of the City’s retiree health insurance plan options. The duration of such City-paid health insurance eligibility shall be dependent upon the employee’s age. Such City-paid health insurance shall be provided only at the employee’s current level of coverage (Individual, 2-Person, Family) as of July 1, 2010, with the exception of a change in the level of coverage due to a qualifying event between July 1, 2010 and December 31, 2010. Any spouse or dependent not currently covered under the employee’s active health insurance plan cannot be added in the future, with the exception of the birth or adoption of a child who may be added to the retired employee’s plan, provided, the retired employee pays 100% of the difference between the new level of coverage (if applicable) and the level of coverage at the time of retirement. Such City-paid health insurance shall begin immediately upon the effective date of the employee’s retirement and run continuously until the expiration of the eligibility period. Upon the employee or his or her spouse turning age (65) sixty-five while receiving City-paid health insurance, such City-paid health insurance shall cease for the employee or his or her spouse effective in the month in which he or she turns age (65) sixty-five.

An employee who elects to retire under this VRIP, elects this Option 1, and is subsequently employed full-time by the City of Hartford or the Board of Education while receiving the City-paid health insurance, will immediately forfeit any right to receive or resume at any point such City-paid health insurance, or any portion thereof, that was provided under the VRIP.

OPTION 2:

The addition of up to (4) four years of additional pension service credit. Such service credit will be deemed actual service for purposes of determining the employee’s eligibility for a normal retirement, for purposes of determining whether the employee is eligible to commence receiving a retirement allowance and for determining or calculating the employee’s retirement allowance.

(3) An eligible NBU-GG employee who is eligible for an alternate normal retirement by December 31, 2010, and elects to retire under the VRIP, shall be credited with up to (4) four years of additional service credit. Such service credit will be deemed actual service for purposes of determining the employee’s eligibility for a normal retirement and for purposes of determining whether the employee is eligible to commence receiving a retirement allowance. (Examples: (A) An employee who has 15 years of continuous service will be credited with (4) four years of additional service credit, will be deemed to have 19 years of actual service and will be eligible to commence receiving a retirement allowance after the passage of 1 year; and (B) An employee who has 16 years of continuous service will be credited with (4) four years of additional service credit, will be deemed to have 20 years of actual service and will be eligible for a Normal Retirement as set forth in Sec. 2A-25 (e) of the Code.

(4) An eligible NBU-GG employee, who on or before December 31, 2010 has at least 11 years of continuous service, but less than 15 years of continuous service, may elect to retire under this VRIP and be credited with up to (4) four years of “incentive service credit” for the sole purpose of establishing eligibility for an alternate normal retirement. The crediting of such “incentive service credit” shall not increase the employee’s years of creditable service for purposes of calculating the employee’s retirement allowance and shall not be included or utilized in any manner to determine or calculate the employee’s final average pay period, final average pay, or retirement allowance. (Examples: (A) An employee with 11 years of continuous service will be credited with (4) four years of “incentive service credit” and the employee will be deemed to have 15 years of continuous service solely for purposes of establishing eligibility for an alternate normal retirement, the employee’s retirement allowance will be calculated based on 11 years of service and any sick exchange credit, the employee will be eligible for sick exchange in accordance with Sec. 2A-8(a)(3), and may

commence receiving a retirement allowance after the passage of (5) five years; and (B) An employee with 13 years of continuous service will be credited with (2) two years of “incentive service credit”, the employee will be deemed to have 15 years of continuous service solely for purposes of establishing eligibility for an alternate normal retirement, the employee’s retirement allowance will be calculated based on 13 years of service and any sick exchange credit, the employee will be eligible for sick exchange in accordance with Sec. 2A-8(a)(3), and may commence receiving a retirement allowance after the passage of (5) five years.

(5) Additional terms and conditions applicable to eligible NBU-GG employees electing to retire under this VRIP:

a. An employee will receive any accrued vacation time, and any sick time remaining after any mandatory sick leave exchange in accordance with Sec. 2A-8(a)(3) of the Code, to which the employee may be entitled, as a lump sum payment. Employee pension contributions shall not be deducted from any such lump sum payment. Any vacation time lump sum payment shall not be used to increase the employee’s years of creditable service and any vacation and/or sick time lump sum payment shall not be included or utilized in any manner in determining or calculating the employee’s final average pay period, final average pay, and retirement allowance.

b. The employee’s effective date of retirement shall be the day immediately following the employee’s last day of work.

c. An employee who is eligible for an early retirement, and who elects to retire under this VRIP, shall be subject to any early retirement allowance reduction pursuant to Sec. 2A-25(f)(2) of the Code.

d. This VRIP shall not apply to any employee whose last day worked was prior to December 31, 2010 and/or is currently on vacation run-out.

e. An employee will be eligible for the benefits described in (3) above only if the employee’s fifteen (15) years of service are continuous, as required by Sec. 2A-5 of the Code. If an employee purchased one or more years of pension service credit for time served in the United States Uniformed Services pursuant to Sec. 2A-7 of the Code, that service credit may not be used to establish the employee’s eligibility to retire under this VRIP. However, said service credit may be used for purposes of determining the employee’s retirement allowance if otherwise eligible to retire.

f. The maximum allowable retirement allowance payable to an employee is set forth in Sec. 2A-25 (e) of the Code.

g. An employee’s retirement allowance shall be calculated based upon the same percentage of final average pay for each whole year of the employee’s credited service that otherwise would pertain to such employee,

h. Any retirement allowance payable to any employee shall be subject to and paid in accordance with the provisions of Sec. 2A-15, “Section 415(m) Fund”.

i. An eligible NBU-GG employee who is eligible for a normal, alternate normal, or early retirement, or by operation of (2), (3) or (4) above can become eligible for a normal or alternate normal retirement, who desires to retire under this VRIP, must elect to retire during the “window period” as set forth below.

j. The “window period” for said election will commence on the Friday after the Court of Common Council adopts the ordinance establishing the VRIP and will end no later than the close of business (30) thirty days thereafter (in the event the thirtieth day falls on a non-business day, the window period shall end on the next business day).

k. The employee’s last day worked with the City must be Friday, December 31, 2010 (the last day worked may not occur prior to such date). Notwithstanding the foregoing, in those situations where the retirement of such an employee would cause undue hardship to City operations, the Mayor may elect, except as in hardship cases as further defined below, to defer the employee’s last day of work and subsequent retirement, thereby requiring the employee to work beyond December 31, 2010 in order to remain eligible for the benefits provided under the VRIP, provided such employee’s last day of work must occur on or before June 30, 2011. A deferment must be requested in writing by the

employee's Department Head or Chief Operating Officer (as applicable) no later than (5) five calendar days after the employee submits the VRIP election form referenced below. A copy of the request shall be provided to the employee. All deferment decisions will be made by the Mayor, in his sole discretion, and will be determined on a case by case basis, including any modification of the same in the event the mayor has determined that the employee has encountered unforeseeable circumstances between the date the employee submits the VRIP election form and the date determined by the Mayor to be the employee's last day of work. The Mayor shall advise the Department Head or Chief Operating Officer within (7) seven calendar days, after receipt of the deferment request, whether the deferment request was granted, and if granted the date designated as the employee's last day of work. The Department Head or Chief Operating Officer shall notify the employee within (3) three calendar days of receiving the Mayor's deferment decision.

l. The employee must submit his or her election in writing on the prescribed 2010 NBU-GG and Eligible NBU P/F Employees Voluntary Retirement Incentive Election Form to the Human Resources Department, with a copy to the Department Head or Chief Operating Officer (if the employee is the Department Head), by the close of business on the date set forth in j. above. The election form will include a commitment to an effective date of retirement of January 1, 2011, which commitment shall be irrevocable, provided, however; the Mayor may elect to defer such date as set forth in k. above.

m. The employee must file an application for retirement with the Pension Commission with a last day worked of Friday, December 31, 2010.

This ordinance shall take effect upon adoption.

Public Hearing Date: Monday, October 18, 2010

Reading Waived

Referred to Labor and Workforce Development Committee & Operations Management and Budget Committee

RESOLUTIONS

***Planning and Economic Development Committee and Legislative Affairs Committee de Appointment of Councilman Alexander Aponte to.**

Resolution - Council President Winch

Resolved, That Councilman Alexander Aponte is appointed to the follow standing committees;

- Planning and Economic Development and
- Legislative Affairs for the term commencing September 27, 2010 and ending January 1, 2012.

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

Yeas: Councilpersons, Airey-Wilson, Aponte, Boucher, Deutsch, Kennedy, Ritter, Torres and Winch. 8

Absent: Councilperson Cotto. 1

The Hartford Hurricanes Midget Football and Cheerleading Program de Designation of funds from the City Contributions Towards Public Programs Account to.

Resolution - Council President Winch

Whereas, The Hartford Hurricanes invites Hartford youths to a program where they can enjoy their experiences as a football player or a cheerleader, while gaining lifelong skills that will help them prosper as they move to the next level of life; and

Whereas, The Hartford Hurricanes will maintain the highest standards for the inner-city kids and better prepare their youth football members for high school sports and youth cheerleaders for high school cheerleading; and

Whereas, The Hartford Hurricanes primary focus is education, this measure has been put in place to let kids, parents, and the community know that they are interested in their youths future far beyond their physical ability and to prepare them for the future whether they decide to further their sports career or not; and

Whereas, The Hartford Hurricanes is devoted to child welfare and is undergoing profound changes with the advent of an innovative football league and has joined Pop Warner, Pop Warner is the only youth football and cheerleading league in the Nation that has a Scholastic eligibility attached to every program; and

Whereas, Students are required to meet the same standards that High School and College kids are ask to meet on the field, at least a 2.0 GPA in the class room; and

Whereas, The Hartford Hurricanes have requested support from the City of Hartford to assist in covering funds in 2010 school year to assist in a shortfall of funds to pay for expenses incurred by the organization; now, therefore be it

Resolved, That the Court of Common Council does hereby designate up to \$6,000 from the Fiscal Year 2010 from the City contributions toward public programs to the Hartford Hurricanes; and be it further

Resolved, That the Hartford Hurricanes will report the outcomes of these funds to the Office of Youth Services at the end of the 2010 school year and Hartford Hurricanes must make a more aggressive effort to fundraise for next year so that there will not be a reoccurrence of this shortfall for summer 2011.

Referred to Operations Management and Budget Committee

Various City organizations de Allocations of funds from the City Contributions Towards Public Programs Accounts to.

Resolution - Majority Leader Boucher

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

- First Night –One City, One Plan, One Earth - \$5,000
- Farmer’s Markets Harvest Market - \$2,000
- Hartford Basic Human Needs Strategic Action - \$5,000
- Sheff Movement - \$5,000
- City Promotions - \$5,000
- Friends and Families of Forester Heights Park - \$2,000

Referred to Operations Management and Budget

Greater Hartford Festival of Jazz and to Scapegoat Garden Dance Company de Allocation of funds from the City Contributions and Special Events Account to.

Resolution - Minority Leader Cotto

Resolved, That the Court of Common Council allocates \$_____ to the Greater Hartford Festival of Jazz from the “City Contributions and Special Events” account; and, be it further

Resolved, That the Court of Common Council allocates \$_____ to Scapegoat Garden Dance Company; and, be it further

Resolved, That the aforementioned organizations 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.

Referred to Operations Management and Budget Committee on the following roll-call vote:

The Underground Coalition de Request for permission to sell merchandise and waiver of one half of fees for The Underground Coalition "Mighty 4 Hartford Bboy/Skate Jam sponsored by.

Resolution - Minority Leader Cotto

Whereas, The Underground Coalition is sponsoring the “Mighty 4 Hartford, Bboy/Skate Jam” on September 26, 2010 from 10:00am to 6:00pm at New Ross, County Wexford Park, “Heaven”; and

Whereas, The event sponsor is requesting a waiver of one half of the applicable City fees associated with the event; and

Whereas, The event sponsor is requesting permission through the appropriate City department to vend merchandise; and

Whereas, This event is free and open to the public; and

Whereas, On January 28, 2002, the Court of Common Council passed a resolution that provides in part that special event fee waivers, if granted, shall not exceed an amount equal to one-half of the city’s costs and fees associated with an event; 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; now, therefore, be it

Resolved, That the Court of Common Council’s waiver of fees, if any, will be consistent with the recommendation of the Public Works, Parks and Environment committee.

Referred to Public Works, Parks and Environment Committee

Evergreen Avenue de Waiver of half of the fees for the Evergreen Block Party sponsored by the West End Civic Association at.

Resolution - Minority Leader Cotto

Whereas, The West End Civic Association is sponsoring the “Evergreen Block Party” on October 2, 2010 from 11:00am to 4:00pm on Evergreen Street between Fales and Gray Streets; and

Whereas, The event sponsor is requesting a waiver of one half of the applicable City fees associated with the event; and

Whereas, On January 28, 2002, the Court of Common Council passed a resolution that provides in part that special event fee waivers, if granted, shall not exceed an amount equal to one-half of the city’s costs and fees associated with an event; 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; now, therefore, be it

Resolved, That the Court of Common Council’s waiver of fees, if any, shall be consistent with the recommendation of

the Public Works, Parks and Environment committee.

Referred to Public Works, Parks and Environment Committee

Franklin Avenue de Waiver of half the fees and allocation of funds for the Columbus Day Parade and Festival sponsored by the I.A.C. Honoring Columbus at.

Resolution - Minority Leader Cotto, Majority Leader Boucher

Whereas, The I.A.C. Honoring Columbus is sponsoring the Columbus Day Parade and festival on Franklin Avenue October 8-10, 2010; and

Whereas, The event sponsor is requesting a waiver of one half of the applicable City fees associated with the event; and

Whereas, On January 28, 2002, the Court of Common Council passed a resolution that provides in part that special event fee waivers, if granted, shall not exceed an amount equal to one-half of the city's costs and fees associated with an event; 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; now, therefore, be it

Resolved, That the Court of Common Council's waiver of fees, if any, will be consistent with the recommendation of the Public Works, Parks and Environment committee; and, be it further

Resolved, That subject to Council approval, the Chief Operating Officer identifies seven thousand five hundred dollars (\$7,500.00) to be allocated to help defray costs associated with this event.

Referred to Public Works, Parks and Environment Committee

***City Hall de Authorization to serve alcohol at the fundraiser sponsored by the Office of Kenneth H. Kennedy, Jr. and the African American Caribbean Coalition at.**

Resolution - Minority Leader Cotto

Whereas, The Office of Kenneth Kennedy, Jr. and the African American – Caribbean Coalition are sponsoring a fundraiser in the atrium of City Hall to raise money for an orphanage in St. Rock, Haiti on November 18, 2010; and

Whereas, The event sponsor wishes to serve alcohol at the event, but shall not charge for it; now, therefore, be it

Resolved, That the Court of Common Council grants permission to the event sponsor 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.

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

Yeas: Councilpersons, Airey-Wilson, Aponte, Boucher, Deutsch, Kennedy, Ritter, Torres and Winch. 8

Absent: Councilperson Cotto. 1

28 Internal Audit Commission de Appointment of Council member to the.

- Resolution - Councilman Kennedy

- **Resolved**, That the Court of Common Council appoint its member to the Internal Audit Commission.

Action postponed until October 12, 2010

The Hartford Botanical Garden Planning Committee de Allocation of funds from the Civic and Cultural Account to.

Resolution - Councilman Ritter

Whereas, Following a series of successful public meetings in 2006, the vision for a Hartford Botanical Garden was developed; and

Whereas, The Hartford Botanical Garden is a project to develop, plant, and manage a botanical garden and conservatory in Colt Park; and

Whereas, The project would utilize about 18 acres of the westernmost parameters of Colt Park and include a series of indoor and outdoor garden spaces and restored historic buildings; and

Whereas, Elizabeth Hart Jarvis Colt, widow of inventor and manufacturer Samuel Colt, was one of Hartford's chief benefactors and an avid horticulturalist; and

Whereas, The proposed botanical garden will sustain Elizabeth Colt's park gift, celebrate the Colt history, and provide a host of attractions that recognize Hartford's horticultural history; therefore be it

Resolved, That the Court of Common Council hereby allocates \$1,000 from the 2010-2011 Cultural and Civic Account to the Hartford Botanical Garden Planning Committee to support its efforts.

Referred to Operations Management and Budget Committee

Opus, Inc. After School and Quilting Program de Allocation of funds from the Civic and Cultural Account to.

Resolution - Councilman Ritter, Council President Winch

Whereas, Opus, Inc. was founded in 1978 to support intergenerational engagement and the generational preservation and creation of artisans in the Greater Hartford region; and

Whereas, The mission of Opus, Inc. is to break the cycle of low expectations and enrich the lives of youth through arts education and activities that promote social and cultural interaction; and

Whereas, Opus, Inc. plans to provide a series of artistic educational workshops after school and during the summer to students at the Noah Webster Microsociety Magnet School; and

Whereas, Opus, Inc. also plans, through its master quilter Edjohnetta Miller, to resume quilting classes at the Northend Senior Center; and

Whereas, Opus, Inc. has requested financial assistance to cover necessary expenses to ensure the success of these programs; and

Whereas, Opus, Inc. has a proven track record of success in positive youth development and workforce preparation through its arts programming, and the quilting program has been enthusiastically supported by members of the Northend Senior Center; therefore be it

Resolved, That the Court of Common Council hereby allocates up to \$ t5,000 from the 2010-2011 Cultural and Civic Account to Opus, Inc. for the provision of its after-school and quilting programs.

Referred to Operations Management and Budget Committee

****MAYOR SEGARRA, with accompanying resolution de Authorization to apply for and receive funds from Ryan White Part A**

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

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

Dear Council President and Council members:

Attached for your consideration is a resolution authorizing the City to apply for and receive \$4,263,999 in Ryan White Part A grant funds for the period covering March 1, 2011 through February 29, 2012. These funds are made available to the City by the U.S. Department of Health and Human Services (DHHS), through its Health Resources and Services Administration (HRSA). The purpose of this grant is to provide core medical and support services, in Hartford, Middlesex, and Tolland counties, to people with incomes less than 300% of the Federal Poverty level who are living with HIV/AIDS.

The resolution authorizes the City to apply for and receive Ryan White Part A funds and to contract with various health care providers for services to be delivered under the terms of this grant.

I recommend passage of the attached resolution.

Respectfully submitted, Pedro E. Segarra, Mayor

Whereas, The Greater Hartford TGA (Transitional Grant Area), covering fifty-seven (57) towns in Hartford, Middlesex, and Tolland counties had 3,610 persons living with HIV/AIDS, as of December 31, 2009, and

Whereas, For the past fifteen years, the Ryan White Part A Program has provided medical and support services to individuals with HIV/AIDS whose incomes are 300% or less of the Federal Poverty Level, and

Whereas, Ryan White Part A grant funds have been provided, since 1996, to the City by the U.S. Department of Health and Human Services (DHHS), through its Health Resources and Services Administration (HRSA) and are managed by the Hartford Department of Health & Human Services, and,

Whereas, The City will receive \$4,263,999 in entitlement and supplemental financial assistance under Part A of the Ryan White HIV/AIDS Treatment Extension Act of 2009 for the period March 1, 2011 through February 29, 2012, and

Whereas, These funds will be allocated via contracts administered by the City of Hartford's Department of Finance's Purchasing Division, to various health providers which provide medical care and support services for low-income families and individuals in the Greater Hartford TGA, now, therefore, be it

Resolved, That the Court of Common Council hereby authorizes the Mayor to apply for and accept funding from the U.S. Department of Health and Human Services (DHHS) under Part A of the Ryan White HIV/AIDS Treatment Extension Act of 2009, to implement a program for services for persons living with HIV/AIDS during the period of March 1, 2011 through February 29, 2012, and be it further

Resolved, That City of Hartford hereby adopts as its policy to support the Non-Discrimination Agreements and Warranties required under Connecticut General Statute § 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, 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, Deutsch, Kennedy, Ritter, Torres and Winch. 8

Absent: Councilperson Cotto. 1

****MAYOR SEGARRA de Request to enter into Executive Session to discuss the resolution of Alyce Richmond v. City of Hartford.**

Communication was received from Mayor Segarra, as follows;

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

Dear Council President and Council members:

I respectfully request that the Council enter into Executive Session during the Council meeting on Monday, September 27, 2010. A brief session is necessary to discuss the resolution of Alyce Richmond v. City of Hartford. Accordingly, please place this matter on the supplemental Council agenda.

Thank you for your consideration.

Respectfully submitted, Pedro E. Segarra, Mayor

Received

****(COUNCILMAN DEUTSCH) de Discretionary allocation of Civic & Cultural funding equitably and equally among all duly elected Council Members.**

Resolution – Councilman Deutsch

Whereas, From time to time the City budget has set aside general funds [such as the Cultural and Civic Account, or Public Programs] for allocation through fixed sums designated for each elected member of the Court of Common Council to dedicate for purposes of community benefits such as education, cultural events, and recreation, therefore be it

Resolved, That it is a policy of the Court of Common Council to allocate any such discretionary funding equitably and equally among all duly-elected Council members without regard to caucus membership or political party.

Referred to Operations Management and Budget Committee

****(COUNCILMAN DEUTSCH) de Regular annual City budget for funding of homeless shelter for women and families through the Department of Health & Human Services.**

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, Policy of the City of Hartford is that “the Department of Health and Human Services, in partnership with The Salvation Army, local shelters and the Hartford Fire Department, will provide temporary emergency shelter to homeless individuals in order to minimize the risk presented by extreme winter weather conditions” [News and community release from the Department of Health and Human Services; Publication Date: winter 2008-2009], 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, and

Whereas, A facility at Salvation Army Marshall House has successfully provided unique, safe, and comprehensive service for women and children during recent years, 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 homeless shelter services for women and families as a regular item in the City’s annual budget.

Referred to Operations Management and Budget Committee

The Meeting adjourned at 7:51 pm

Attest:
John V. Bazzano
Town and City Clerk