

AGENDA
MEETING OF THE COURT OF COMMON COUNCIL
September 11, 2017
Approved Minutes of the Regular Meeting of August 14, 2017

ACTION TAKEN

COMMUNICATIONS

1. MAYOR BRONIN, with accompanying resolution concerning authorizing the extension of a license agreement with Freshpoint Connecticut, LLC for the use a City-owned parcel located at 80 Reserve Road.
2. MAYOR BRONIN, with accompanying resolution concerning authorizing the Mayor to accept the Fiscal year 2018 Comprehensive DUI Enforcement Program Grant from the Connecticut Department of Transportation's Highway Safety Office.
3. MAYOR BRONIN, with accompanying resolution concerning the appointment of various members to the Commission on Refugee and Immigrants Affairs.
4. MAYOR BRONIN, Submission of 2016-17 Annual Report of the Hartford Ethics Commission.
5. MAYOR BRONIN, with accompanying resolution concerning authorization to accept a grant from the Federal Highway Administration Transportation Alternatives Program for the design and construction of an extension of the Connecticut Riverwalk.
6. MAYOR BRONIN, with accompanying resolution concerning authorization to enter into a Lease Agreement with the State of Connecticut Department of Transportation for the use of State-owned land located on the north side of I-84 at the Sisson Avenue off-ramp.
7. MAYOR BRONIN, with accompanying resolution concerning authorization to accept an easement from Materials Innovations and Recycling Authority (MIRA) for the continued used of the Riverfront Access Road from Reserve Road.

FOR ACTION

8. Ordinance amending Chapter 25, Section 19 concerning Prohibiting Waste Associated with natural Gas and Oil Extraction, of the Municipal Code.
9. Ordinance amending Municipal code concerning all Establishments that Sell Alcoholic Beverages.
10. Ordinance amending Chapter 2, Section 2-46 Administrative Support for Council of the Municipal Code.
11. Substitute Ordinance creating a Registry of Owners of Residential Rental Property Amending Chapter 18, Section 150 of the Hartford Municipal Code.
12. Ordinance amending Chapter 2A - Pensions, Section 2A-5, Section 2A-6, and Section 2A-25 of the Hartford Municipal Code.
13. Resolution with accompanying report authorizing a lease with T-Mobile Northeast LLC for wireless telecommunications facilities to be installed at 272 Garden Street.
14. Resolution with accompanying report requesting that the contractual terms for engagement of firm of Greenberg Traurig LLP [GT LLP] be modified towards achievement of structural balance and sustainability.
15. Substitute resolution with accompanying communication from Mayor Bronin, concerning a request to enter into Executive Session to discuss the potential resolution of Irene Brini v. City of Hartford.
16. Ordinance amending Chapter 31 Section 31-32 The Operation or Use of Dirt Bikes, All-Terrain Vehicles, Snowmobiles, Motor Driven Cycles, or Mini-Cycles, of the Municipal.

PROPOSED ORDINANCES

17. (MAYOR BRONIN) Ordinance Repealing and Replacing Article I of Chapter 15 of the Municipal Code.

HEARING DATE - Monday, September 18, 2017

18. (COUNCILMAN SANCHEZ) Ordinance amending Division 9D of Article 5 of Chapter 2 ("Hartford Film, Video and Media Commission") of the Municipal Code.

HEARING DATE - Monday, September 18, 2017

RESOLUTIONS

19. (COUNCIL PRESIDENT CLARKE II) (MAJORITY LEADER CONCEPCION) (COUNCILWOMAN WINCH) (COUNCILWOMAN THAMES) (MINORITY LEADER BERMUDEZ) Resolution opposing the withholding of federal funding to pressure local municipalities to enforce federal immigration policies. We also oppose the use of federal funds to build a wall along our southern border and the strong arm tactics that include threats to shut down the federal government and denounces anti-immigrant bills which promote racial profiling, discrimination and harassment of immigrant communities and stands by immigrant youth, including those protected by DACA, and support the continuation of the DACA program that preserve and protect our diverse and inclusive community, and will serve as a resource for immigrant community members with questions, comments, or concerns about safety or local government's role in defending vulnerable communities.
20. (COUNCIL PRESIDENT CLARKE II) Resolution designating the week of September 24 – 30, 2017 as African American Heritage Week in the city of Hartford in honor of Isabel Mendes Blake's thirty years of activism.
21. (COUNCIL PRESIDENT CLARKE II) (MAJORITY LEADER CONCEPCION) (ASSISTANT MAJORITY LEADER GALE) Resolution requesting that the Hartford City Council go on record opposing H.R.38 and S.446, the Concealed Carry Reciprocity Act of 2017, and calls on its representatives in the U.S. House of Representatives and Senate to vote against these bills, and to work with their colleagues to oppose these bills.
22. (MINORITY LEADER BERMUDEZ) (COUNCIL PRESIDENT CLARKE II) Resolution requesting that Council will hold a series of public forums/public hearings for all Hartford residents on the consequences of declaring bankruptcy, how it will directly impact them, and of alternative restructuring options.
23. (MAJORITY LEADER CONCEPCION) (ASSISTANT MAJORITY LEADER GALE) (COUNCILMAN SANCHEZ) (COUNCILWOMAN THAMES) Resolution requesting that the Court of Common Council accepts the recommendations of the ATV Taskforce and will work diligently to implement strategies to eradicate the illegal use of all-terrain and off road motorbikes in the City of Hartford.
24. (COUNCILWOMAN JENNINGS) (COUNCIL PRESIDENT CLARKE II) (MINORITY LEADER BERMUDEZ) (COUNCILMAN DEUTSCH) Resolution requesting that the Hartford Court of Common Council supports the immediate release of all non-violent prisoners to reduce the costs associated with the State's prison population and that the savings be used for the retraining of Department of Correction staff to become probation and parole officers and that the State of Connecticut will automatically expunge the records of every individual who has ever been incarcerated in any Connecticut prison for non-violent crimes.
25. (COUNCILMAN DEUTSCH) Resolution requesting quarterly reports of all contracts and expenditures outsourced to private firms for any project greater than \$25,000 and a six month report on those over \$50,000, including names and a documented history of the firm's services within the recent 3-year period.
26. (COUNCILWOMAN THAMES) (COUNCIL PRESIDENT CLARKE II) (MINORITY LEADER BERMUDEZ) (COUNCILWOMAN WINCH) Resolution expressing the desire of the Court of Common Council to work with the administration on developing a city-wide strategy to combat substandard rental housing units that plaque our neighborhoods across the city and ensure we can provide a safe, clean and healthy living environment for our children and families throughout the city.
27. (COUNCILWOMAN WINCH) Resolution requesting that the Contract Compliance Taskforce submit recommendations following the processes establish herein and that Court of Common Council adopt the taskforce recommendations in the form of the corresponding ordinances unless otherwise adopted.

Attest:

John V. Bazzano
City Clerk



Luke A. Bronin
Mayor

ITEM # 1 ON AGENDA

September 11, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Freshpoint License Agreement

Dear Council President Clarke:

Enclosed for your consideration is a resolution authorizing the extension of a license agreement with Freshpoint Connecticut, LLC ("Freshpoint") for the use of approximately 1.3 acres of a 2.8-acre vacant City-owned parcel located at 80 Reserve Road (the "Property").

Freshpoint is a North American fresh produce distributor with companies located throughout the United States. Freshpoint Connecticut serves New England and other areas and their distribution facility is located at 100 Reserve Road. Under a 6-month license agreement executed on April 1, 2017, Freshpoint has been utilizing approximately 1.3 acres of the Property for temporary overflow parking of semi-trailers queuing to unload at its distribution facility and for long-term parking for up to ten empty semi-trailers.

The current license agreement with Freshpoint will expire on September 30, 2017 and Freshpoint would like to continue its use of the Property. The Administration is willing to extend the license for one year with two one-year renewal options. The current license fee is \$1,600 per month; the fee under the extension of the license agreement is proposed to increase to \$2,100 per month. The license agreement requires Freshpoint to maintain insurance on the property, keep the property free of rubbish and debris, remove all snow, and provide utilities and security for their activities. Either party may terminate the agreement with or without cause by giving thirty days' prior written notice to the other party.

The City has no present use for the portion of the parcel being utilized by Freshpoint. The balance of the Property, consisting of approximately 1.5 acres, is reserved for use by the City of Hartford Department of Public Works for snow storage.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "LB", is written over a horizontal line.

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, September 11, 2017

WHEREAS, The City of Hartford is the owner of a 2.8-acre vacant parcel of land known as 80 Reserve Road in Hartford, Connecticut; and

WHEREAS, Freshpoint Connecticut, LLC ("Freshpoint") has been utilizing 1.3 acres of this parcel ("the Property") since April 1, 2017 under a six-month license agreement for temporary overflow parking of semi-trailers queuing to unload at its distribution facility and for long-term parking for up to ten empty semi-trailers; and

WHEREAS, Said license agreement is due to expire on September 30, 2017 and Freshpoint would like to extend its use of the Property; and

WHEREAS, The City is willing to extend the license agreement with Freshpoint under the following terms and conditions:

- The term of the Agreement shall be one year with two one-year renewal options.
- The license fee shall be \$2,100 per month.
- Freshpoint shall procure and maintain insurance on the property at its own cost and expense.
- Freshpoint shall maintain and repair the Property, keep property free of all rubbish and debris, remove all snow, and provide security for all Freshpoint activities on the Property.
- Freshpoint shall be solely responsible for the cost of all utilities serving the Property and used by Freshpoint.
- The Agreement may be terminated by either party with or without cause by giving 30 days' prior written notice to the other party.

now therefore be it

RESOLVED, That the Mayor is hereby authorized to execute an extension of the license agreement with Freshpoint in accordance with the terms as set forth above; and be it further

RESOLVED, That the Mayor is hereby 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 interest of the City in order to effectuate the above transaction; 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 license agreement 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 agreement and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.



Luke A. Bronin
Mayor

ITEM # 2 ON AGENDA

September 11, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: DUI Enforcement Grant

Dear Council President Clarke:

Attached, for your review and action, is a resolution authorizing the Mayor to accept the Fiscal Year 2018 Comprehensive DUI Enforcement Program Grant, in the amount of \$259,439, from the Connecticut Department of Transportation's Highway Safety Office.

The objective of the DUI Enforcement Grant Program is to reduce the number of automobile crashes, injuries, and fatalities resulting from impaired driving. The Hartford Police Department (HPD) will utilize the grant funds to pay for overtime expenses associated with operating roving patrols and high visibility DUI checkpoints, at which motor vehicle operators (including motorcyclists) are stopped and interviewed to establish if they are operating while impaired. Enforcement of impaired-driving laws are to be focused on Thursdays through Saturday nights and holidays or other periods when high traffic is expected.

The grant will reimburse the City for 100% of both the overtime pay and fringe benefit costs of the officers carrying out the enforcement activities and no match is required. Grant requirements stipulate that the operation of this selective traffic enforcement program shall be above and beyond the normal/special patrol activities of the Police Department.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "L. Bronin", is written over a horizontal line.

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

INTRODUCED BY:
Pedro E. Segarra, Mayor

COURT OF COMMON COUNCIL
City of Hartford, September 11, 2017

WHEREAS, The State of Connecticut Department of Transportation's Highway Safety Office awards grants to municipalities for enhanced DUI enforcement, and

WHEREAS, The purpose of the DUI Enforcement Grant program is to enable municipalities to undertake high visibility enforcement activities for the purpose of reducing the number of motor vehicle crashes, injuries, and fatalities resulting from driver impairment, and

WHEREAS, The Hartford Police Department is eligible for \$259,439 in grant funds which will reimburse the City for 100% of overtime expenses and fringe benefit costs associated with high-visibility roving patrols and targeted DUI checkpoints, now, therefore, be it

RESOLVED, That the Mayor is hereby authorized to apply for and accept a Fiscal Year 2018 Comprehensive DUI Enforcement Grant in the amount of \$259,439 from the Connecticut Department of Transportation Highway Safety Office, and be it further

RESOLVED, That the Mayor is authorized to accept such further sums as may be additionally awarded by the grantor under the same program, for the same authorized contract period, and for the same purposes, and be it further

RESOLVED, That Mayor Pedro E. Segarra, 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.



Luke A. Bronin
Mayor

ITEM # 3 ON AGENDA

September 11, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Commission on Refugee & Immigrant Affairs

Dear Council President Clarke:

Attached for your consideration is a resolution confirming my appointment of Maryam Bitar, Cheryl Zeiner, Mubera Becirovic, and Artan Martinaj as members of the Commission on Refugee and Immigrant Affairs.

The mission of the Commission on Refugee and Immigrant Affairs is to create a means for refugee and immigrant voices to be heard and understood, to facilitate civic engagement among refugees and immigrants, and to recognize and legitimize issues of importance to new arrivals to the City of Hartford. The Commission consists of at least 11 and no more than 21 members who shall serve two-year terms. A majority of members must be Hartford residents. Membership is not restricted to citizens, but a majority of members must be U.S. citizens.

Maryam Bitar is a Syrian native who worked as a teacher in Damascus and recently graduated cum laude from Trinity College with a degree in International and Middle Eastern Studies. She is bilingual in Arabic and English. Cheryl Zeiner worked for 32 years as a vocational rehabilitation counselor and holds a Master's degree in Special Education. She volunteers extensively with programs that assist individuals and recently has been assisting the refugee communities of Myanmar, Thailand, and Vietnam.

Artan Martinaj was born in Albania and arrived in the United States as a political refugee in 1991. He is employed as the Business Agent and Financial Secretary for the Amalgamated Transit Union Local 425 and currently serves as President of the Albanian Community Center. Mubera Becirovic is an immigrant and refugee from Bosnia. She co-founded the Bosnian-American Youth Association of Hartford and is currently pursuing a Master's degree in International Relations/Political Science at the Graduate Institute of International and Development Studies.

Resumes/bios are attached for your review. I am pleased to be able to appoint these outstanding individuals to this important commission.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Luke A. Bronin".

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, September 11, 2017

WHEREAS, The mission of the Commission on Refugee and Immigrant Affairs is to create a means for refugee and immigrant voices to be heard and understood, to facilitate civic engagement among refugees and immigrants, and to recognize and legitimize issues of importance to new arrivals to the city of Hartford, and

WHEREAS, The Mayor has appointed four individuals to the Commission, now, therefore, be it

RESOLVED, That the Court of Common Council hereby confirms the appointment of the following individuals to the Commission on Refugee and Immigrant Affairs:

Mariam Bitar (non-citizen) 27 Winchester Drive, West Hartford 06117
(Filling a vacancy for a term expiring in 2019)

Artan Martinaj (D) 355 Goodwin Street, East Hartford 06108
(Filling a vacancy for a term expiring in 2019)

Mubera Becirovic (D) 301 Brown Street, Hartford 06114
(Replacing Hazmira Udovicic for a term expiring in 2018)

Cheryl Zeiner (D) 80 Wethersfield Avenue, Hartford 06114
(Replacing Dean Roden for a term expiring in 2018)



Luke A. Bronin
Mayor

ITEM # 4 ON AGENDA

September 11, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Ethics Commission Annual Report

Dear Council President Clarke:

Attached for your information is the 2016-17 Annual Report of the Hartford Ethics Commission. The report includes minutes from each of the Commission's monthly meetings which provide details on the work of the commission.

The Ethics Commission is charged with enforcing the City of Hartford Code of Ethics and has the responsibility of hearing, investigating, and making findings regarding allegations of ethics violations and taking enforcement action where appropriate. The Commission also provides advice and training to employees, officials, and commissions about the Ethics Code. During Fiscal Year 2017, the Commission recommended six changes to the Ethics Code and these changes were agreed to by the Mayor and approved by the Court of Common Council.

The Commission has responsibility for securing Annual Statements of Financial Interest from individuals required by ordinance to complete those forms. The Commission continues to experience challenges in obtaining 100% compliance with this requirement. As of June 30, 2017, the return rate was 71%.

Should you wish to discuss the Annual Report with Commission members, they will be pleased to do so. The Ethics Commission is very attentive to its mission and I thank them for their excellent service.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Luke A. Bronin".

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

CITY OF HARTFORD
ETHICS COMMISSION
REGULAR MEETING

David Klein
Chuck Culliton
Kurtis Denison
Sibongile Magubane
Dante Lorenzo Ambrogio

Date: July 12, 2016

Time: 5:00 p.m.

Location: 2nd Floor Function Room, City Hall

MINUTES:

Present: Commissioner Klein (via phone), Commissioner Culliton, Commissioner Denison (via phone), Commissioner Dante Ambrogio (new Commissioner), and Assistant Corporation Counsel Lori Mizerak.

The meeting was called to order by Commissioner Klein at 5:05 p.m. Commissioner Denison made a motion to approve the minutes of the June 14, 2016 meeting, Commissioner Culliton moved to second, and the minutes were approved.

Introductions of newly appointed Commissioner Ambrogio were made, Ms. Mizerak delivered the oath of office, and Mr. Ambrogio was sworn in as a Commissioner.

As to the first item of old business, statements of financial interest forms, Ms. Mizerak reported that Commissioner Klein signed fine letters for 24 individuals who have not yet completed their forms; only 2 of those individuals are current employees/commissioners. In addition, 5 second notice letters will also be sent; the 5 individuals who received these second notice letters were more recently appointed to City boards/commissions and thus a fine letter would be premature. The letters will be mailed this week.

As to the item of new business, Annual Report for fiscal year 2015-2016, Ms. Mizerak indicated that she will prepare a draft and plans to follow the same format from last year. Ms. Mizerak inquired as to whether the Commission would like her to include anything in particular in the report. Commissioner Klein asked that we include a discussion about the Ethics Code changes that the Commission has proposed, as well as the Commission's returns on the statements of financial interest forms. Ms. Mizerak will work on a draft and share it with Commissioner Klein, and thereafter, it will be circulated to the other Commissioners.

Commissioner Klein suggested that if there was no new business in the next few weeks, the Commission could decide to cancel the August meeting as it has done in previous years. The other Commissioners agreed and the August meeting will be cancelled unless any new business is received before the scheduled meeting date of August 9, 2016.

Commissioners Klein and Denison left the meeting at 5:22 p.m. and Commissioners Culliton and Ambrogio remained to review a number of completed statements of financial interest forms.

The meeting was adjourned at 5:39 p.m. At this point, the August meeting will be cancelled and a notice will be posted. The next meeting is scheduled for September 13, 2016, at 5:00 p.m. in the 2nd Floor Function Room.

Respectfully submitted,
Lori Mizerak

CITY OF HARTFORD
ETHICS COMMISSION
REGULAR MEETING

David Klein
Chuck Culliton
Kurtis Denison
Sibongile Magubane
Dante Lorenzo Ambrogio

Date: September 13, 2016

Time: 5:00 p.m.

Location: 2nd Floor Function Room, City Hall

MINUTES:

Present: Commissioner Klein, Commissioner Denison, Commissioner Magubane, and Assistant Corporation Counsel Lori Mizerak.

The meeting was called to order by Commissioner Klein at 5:05 p.m. Commissioner Klein made a motion to approve the minutes of the July 12, 2016 meeting, Commissioner Culliton moved to second, and the minutes were approved.

As to the first item of old business, statements of financial interest forms, Ms. Mizerak reported that there are 16 individuals who have not yet completed their forms; only 1 of those individuals is a current board member, specifically, of the Board of Education. Ms. Mizerak suggested that her office reach out to the Board of Education liaison to advise that the form is outstanding, and to see if we could send another form to her. The Commissioners agreed that was a good plan and Ms. Mizerak will follow-up.

As to second item of old business, Annual Report for fiscal year 2015-2016, the Commissioners had an opportunity to review the draft report and had no additional changes. The Commissioners unanimously approved the report and it will be forwarded to the Mayor's Office, along with the Commission's minutes for the year.

As to the third item of new business, the October meeting, Ms. Mizerak reminded the Commission that the October meeting will be held on the third Tuesday in October, not the usual second Tuesday of the month.

A motion to go into Executive Session was made by Commissioner Denison, the motion was seconded by Commissioner Magubane and the Commission went into Executive Session at 5:10 p.m. The Commission came out of Executive Session at 5:25 p.m.

The meeting was adjourned at 5:26 p.m. The next meeting is scheduled for October 18, 2016 at 5:00 p.m. in the 2nd Floor Function Room.

Respectfully submitted,
Lori Mizerak

CITY OF HARTFORD
ETHICS COMMISSION
REGULAR MEETING

David Klein
Chuck Culliton
Kurtis Denison
Sibongile Magubane

Date: October 18, 2016

Time: 5:00 p.m.

Location: 2nd Floor Function Room, City Hall

MINUTES:

Present: Commissioner Klein, Commissioner Denison, Commissioner Culliton, Commissioner Magubane, and Assistant Corporation Counsel Lori Mizerak.

The meeting was called to order by Commissioner Klein at 5:03 p.m. Commissioner Denison made a motion to approve the minutes of the September 13, 2016 meeting, Commissioner Magubane moved to second, and the minutes were approved.

As to the first item of old business, statements of financial interest forms, Ms. Mizerak reported that there are 16 individuals who have not yet completed their forms, all of whom are former employees or City board/commission members. At this time, the Commission agreed that we can conclude this year's effort to obtain these outstanding forms. Commissioner Denison suggested, and the other Commissioners concurred, that we should continue to include "Review of 2015 Statement of Financial Interest forms" on meeting agendas as it is appropriate for the Commission to continue its review of completed forms.

As to second item of old business, update on training of City departments, Ms. Mizerak reported that she has spoken to Mr. Bazzano, the Town Clerk, and after the election, we will schedule one or two trainings with the department. Council Executive Assistants will also be included in this training since those positions fall under the Town Clerk's Office. Ms. Mizerak stated that the Commission may want to consider scheduling trainings with other departments. Commissioner Klein inquired as to whether the Mayor's Office has had Ethics Code training. Ms. Mizerak advised that shortly after Mayor Bronin's tenure began, she conducted a training that the Mayor, Chief of Staff, Mayor's Executive Assistant and all department heads attended. Ms. Mizerak also advised that there are new employees in the Mayor's Office and COO's office. Commissioner Klein suggested that when a training date is identified for Town Clerk staff, Ms. Mizerak should also let the Mayor's Office and COO's Office know of this date so that new employees can also attend. Ms. Mizerak will also let the Commission members know the date(s) for the training(s) so that the Commissioners can also attend, if they so choose.

The meeting was adjourned at 5:15 p.m. The next meeting is scheduled for November 15, 2016 (This is the third Tuesday of the month, rather than the second Tuesday, which is Election Day), at 5:00 p.m. in the 2nd Floor Function Room.

Respectfully submitted,
Lori Mizerak

CITY OF HARTFORD
ETHICS COMMISSION
REGULAR MEETING

David Klein
Chuck Culliton
Kurtis Denison
Sibongile Magubane

Date: November 15, 2016

Time: 5:00 p.m.

Location: 2nd Floor Function Room, City Hall

MINUTES:

Present: Commissioner Klein, Commissioner Denison, Commissioner Culliton, and Assistant Corporation Counsel Lori Mizerak.

The meeting was called to order by Commissioner Klein at 5:10 p.m. Commissioner Denison made a motion to approve the minutes of the October 18, 2016 meeting, Commissioner Culliton moved to second, and the minutes were approved.

As to the first item of old business, update on proposed Ethics Code changes, Ms. Mizerak reported that she confirmed with the Corporation Counsel that the Ethics Code revisions will be submitted as an agenda item for an upcoming Council meeting. Ms. Mizerak will let the Commissioners know when that happens so they can have the opportunity to attend any Council Committee meetings at which the revisions will be discussed.

As to second item of old business, update on training of City departments, Ms. Mizerak reported that she will work to identify a date for the Town Clerk's Office training, as well as new employees in the Mayor's and COO's Office. Ms. Mizerak will let the Commissioners know the date(s) for the training(s) so that the Commissioners can also attend, if they so choose.

As to the third item of old business, review of statements of financial interest forms, the Commissioners spent some time at the meeting reviewing these forms and will continue to do so at upcoming meetings.

As to the only item of new business, schedule of meetings for 2017, Ms. Mizerak provided a draft schedule for the Commissioners' review. The Commissioners discussed the draft and proposed that the April and December meetings, which were moved to the first Tuesday of the month to avoid possible conflicts with holidays, be moved back to the regular second Tuesday of the month as there were no actual conflicts with holidays or otherwise. The schedule of meetings for 2017 with this change was unanimously approved.

The meeting was adjourned at 5:30 p.m. The next meeting is scheduled for December 13, 2016, at 5:00 p.m. in the 2nd Floor Function Room.

Respectfully submitted,
Lori Mizerak

CITY OF HARTFORD
ETHICS COMMISSION
REGULAR MEETING

David Klein
Chuck Culliton
Kurtis Denison
Sibongile Magubane

Date: January 10, 2017

Time: 5:00 p.m.

Location: 2nd Floor Function Room, City Hall

MINUTES:

Present: Commissioner Klein (via telephone), Commissioner Denison, Commissioner Culliton (via telephone), Commissioner Magubane (via telephone), and Assistant Corporation Counsel Lori Mizerak.

The meeting was called to order by Commissioner Klein at 5:05 p.m. Commissioner Culliton made a motion to approve the minutes of the November 15, 2016 meeting, Commissioner Magubane moved to second, and the minutes were approved.

As to the first item of old business, update on proposed Ethics Code changes, Ms. Mizerak reported that the proposed revisions, with one small change, were approved by Council at last night's Council meeting (1/9/17). The Mayor took out the proposed revision of adding "Legislative and Legal Advisor" as a position for which the filing of a statement of financial interest is required. The reasoning for this is that the Mayor did not want to draw attention, in any way, to this position. At the Legislative Affairs Committee in December when the proposed changes were discussed, Councilman Gale stated that the Commission may want to consider adding language in Section 2-902(l) (*No public official or City employee shall use his public office or position or any confidential information received through his holding such office or position to obtain financial gain for himself, his spouse, child, child's spouse, parent, brother or sister or a business with which he is associated.*) to include relationships of individuals who may live together but are not related; the specific example he gave was relationships similar to those of the Scarborough 11. Commissioner Klein, who also attended the Committee meeting, told Councilman Gale that he would bring his comments back to the Commission for consideration. The Commissioners discussed that they are pleased that the revisions were approved and at this point; although Commissioner Gale's thoughts are appreciated, no additional changes will be proposed. Commissioners Denison and Klein noted that the goal of adding Section 2-902(l) was really to make it clearer (than the Code's previously existing language) that a City official or employee should not be using his position for financial gain for him or his close relatives, and the new language creates a baseline for conduct. Commissioner Denison did want to make sure that Councilman Gale knows that the Commission appreciates his input, and Commissioner Klein suggested that a letter be sent to him to that effect. The other Commissioners liked this idea and Ms. Mizerak will work on a letter with Commissioner Klein and get it out to Councilman Gale.

As to the second item of old business, update on training of City departments, Ms. Mizerak reported that she is doing training with the Town Clerk's Office and Council's Office on January 12 at 10 a.m. and January 19 at 11 a.m. In addition, an evening training may also be scheduled for Council members.

As to the third item of old business, review of statements of financial interest forms, the Commission agreed to defer that review to the February meeting.

The meeting was adjourned at 5:19 p.m. The next meeting is scheduled for February 14, 2017, at 5:00 p.m. in the 2nd Floor Function Room.

Respectfully submitted,
Lori Mizerak

CITY OF HARTFORD
ETHICS COMMISSION
REGULAR MEETING

David Klein
Chuck Culliton
Kurtis Denison
Sibongile Magubane

Date: February 14, 2017

Time: 5:00 p.m.

Location: 2nd Floor Function Room, City Hall

MINUTES:

Present: Commissioner Klein, Commissioner Denison, Commissioner Culliton, Commissioner Magubane, and Assistant Corporation Counsel Lori Mizerak.

The meeting was called to order by Commissioner Klein at 5:00 p.m., with all Commissioners present. Commissioner Denison made a motion to approve the minutes of the January 10, 2017 meeting, Commissioner Culliton moved to second, and the minutes were approved.

As to the first item of old business, update on training of City departments, Ms. Mizerak reported that she completed training with the Town Clerk's Office and Council's Office on January 12 and January 19, and that Commissioner Klein attended the January 19 training. Ms. Mizerak reported that there was a fair amount of questions, and she believes attendees now understand where to go with any questions as related to the Ethics Code. Ms. Mizerak will reach out to John Bazzano to try to schedule additional trainings as not all Town Clerk Office employees were able to attend due to staffing issues in the office. In addition, Ms. Mizerak will inquire as to whether another training should be scheduled after normal business hours to accommodate Council members' schedules

As to the second item of old business, review of 2015 statements of financial interest forms and review of the process for sending out the 2016 forms, the Commission reviewed a number of forms, made some inquiries to Ms. Mizerak about the forms and was satisfied with the responses, and has completed its review of forms for 2015. In addition, Ms. Mizerak reported that the 2016 forms will go out via email (primarily) and mail by the end of the month. Commissioner Culliton noted that the last page of the form should be revised to reflect the new Ethics Code changes that were made with respect to the fine dollar amount for failure to complete a statement. Ms. Mizerak indicated that the revision will be made before the forms are sent out.

As to the first item of new business, update of rules of procedure to reflect recent Ethics Code revisions, Ms. Mizerak reported that in one section of the rules of procedure there is reference to the penalty/fine for not filing a statement of financial interest. Given that revisions to the Ethics Code re: these fines were recently approved, the rules of procedure should be revised to reflect those Code changes. Ms. Mizerak provided a draft of the proposed changes to the rules of procedures, and the Commission voted unanimously to approve the changes which consisted of the dollar amount per violation for failure to complete a statement, and the maximum total penalty that may be imposed.

The meeting was adjourned at 5:20 p.m. The next meeting is scheduled for March 14, 2017, at 5:00 p.m. in the 2nd Floor Function Room.

Respectfully submitted,
Lori Mizerak

CITY OF HARTFORD
ETHICS COMMISSION
REGULAR MEETING

David Klein
Chuck Culliton
Kurtis Denison
Sibongile Magubane

Date: April 11, 2017

Time: 5:00 p.m.

Location: 2nd Floor Function Room, City Hall

MINUTES:

Present: Commissioner Denison, Commissioner Culliton (via phone), Commissioner Magubane, and Assistant Corporation Counsel Lori Mizerak.

The meeting was called to order by Commissioner Culliton at 5:09 p.m. Commissioner Denison made a motion to approve the minutes of the February 14, 2017 meeting, Commissioner Magubane moved to second, and the minutes were approved.

As to the business of the annual election of officers, Commissioner Denison requested that we move this item to the May meeting as he thinks it is important for all Commissioners to be present for the election. Commissioners Magubane and Culliton agreed, and the election of officers will thus be placed on the agenda of the May meeting.

As to the only item of old business, review of the process for sending out the 2016 Statement of Financial Interest forms, Ms. Mizerak reported that the 2016 forms went out, people were asked to complete the forms by April 15, 2017, and so far 66 (out of 197) individuals have completed the forms. Second letters will go out after April 15, 2017. Ms. Mizerak will bring some completed forms for the Commission's review at upcoming meetings.

As to the only item of new business, it was reported that Councilwoman Bermudez sent an email to Commissioner Klein in early March 2017 inquiring as to the Commission's experience with the process of appointing new members. She further detailed that she and a few other Council members have introduced a resolution to ensure that the appointment process is expedited in a timelier fashion. Commissioner Klein responded back to Councilwoman Bermudez and as far as Ms. Mizerak knows, there has been no further communication with Councilwoman Bermudez on this matter. Commissioner Denison noted that a commission workshop for Hartford residents might be helpful in attracting new commissioners. The thought would be that information about all commission openings could be available at the workshop. All Ethics Commissioners stated that they believe that people are just not aware of the opportunities that are available. Commissioner Magubane suggested that NRZs could be helpful in getting the message out to citizens. For example, at monthly NRZ meetings, City staff could communicate to citizens about the various City commissioner openings and if there was interest, City commissioners could then go to the NRZ meetings to provide further information about their City commission. Ms. Mizerak will follow-up with Councilwoman Bermudez and pass on Commissioner Magubane's suggestion as to NRZ involvement, and will also follow-up with the Mayor's Office to see if a boards and commission informational workshop is currently being planned.

The meeting was adjourned at 5:24 p.m. The next meeting is scheduled for May 9, 2017, at 5:00 p.m. in the 2nd Floor Function Room.

Respectfully submitted,
Lori Mizerak

CITY OF HARTFORD
ETHICS COMMISSION
REGULAR MEETING

David Klein
Chuck Culliton
Kurtis Denison
Sibongile Magubane

Date: May 9, 2017

Time: 5:00 p.m.

Location: 2nd Floor Function Room, City Hall

MINUTES:

Present: Commissioner Klein, Commissioner Culliton, Commissioner Denison (via phone), Commissioner Magubane (via phone), and Assistant Corporation Counsel Lori Mizerak.

The meeting was called to order by Commissioner Klein at 5:00 p.m. Commissioner Denison made a motion to approve the minutes of the April 11, 2017 meeting, Commissioner Culliton moved to second, and the minutes were approved, with Commissioner Klein abstaining as he was not in attendance at the May meeting.

As to the business of the annual election of officers, Commissioner Klein stated that he would be happy to continue to serve as Chair, and suggested that Commissioner Culliton continue as Vice Chair/Secretary, to which Commissioner Culliton agreed. Commissioner Magubane made a motion to elect the following slate: Commissioner Klein for Chair and Commissioner Culliton for Vice-Chair/Secretary, Commissioner Denison seconded the motion, and the motion passed unanimously.

As to the first item of old business, review of the process for sending out the 2016 Statement of Financial Interest forms, Ms. Mizerak reported that the second notices went out last week, and so far 102 out of 197 individuals have completed the forms. Ms. Mizerak will continue to bring completed forms for the Commission's review at upcoming meetings. Commissioner Culliton suggested that we hold off on sending the third letters until after the next meeting to give people some time, and Ms. Mizerak agreed that third notices would not be sent out until June.

As to the second item of new business, follow-up on Council Resolution re: City commission appointment process and communication from Councilwoman Bermudez, after the May meeting, Ms. Mizerak followed up with Councilwoman Bermudez and passed on Commissioner Magubane's suggestion as to NRZ involvement. Ms. Mizerak also followed up with the Mayor's Office to see if a boards and commission informational workshop is currently being planned. The Commission reviewed the responses received from Councilwoman Bermudez, Linda Bayer, Thea Montanez and Jason Ortiz. Commissioner Klein read Ms. Montanez's response and suggested that since the Mayor's Office is in the process of updating the process for appointing members to boards and commissions, to include creating an automated online application system, the Commission should hold off on any further action such as reaching out to NRZs. The other Commissioners agreed. Commissioner Denison suggested that the Commission let the Mayor's Office know that it is very pleased with the movement on this and is looking forward to the new City board application and appointment process. Commissioner Klein will do so by way of an email to Thea Montanez, Linda Bayer and Councilwoman Bermudez.

The meeting was adjourned at 5:12 p.m. The next meeting is scheduled for June 13, 2017, at 5:00 p.m. in the 2nd Floor Function Room.

Respectfully submitted,
Lori Mizerak

CITY OF HARTFORD
ETHICS COMMISSION
REGULAR MEETING

David Klein
Chuck Culliton
Kurtis Denison
Sibongile Magubane

Date: June 13, 2017

Time: 5:00 p.m.

Location: 2nd Floor Function Room, City Hall

MINUTES:

Present: Commissioner Klein, Commissioner Culliton, Commissioner Denison, Commissioner Magubane (via phone), and Assistant Corporation Counsel Lori Mizerak.

The meeting was called to order by Commissioner Klein at 5:05 p.m. Commissioner Culliton made a motion to approve the minutes of the May 9, 2017 meeting, Commissioner Magubane moved to second, and the minutes were approved.

As to the first item of old business, update on returns of the 2016 Statement of Financial Interest forms, Ms. Mizerak reported that there are 73 outstanding forms. Ms. Mizerak will continue to bring completed forms for the Commission's review at upcoming meetings. A discussion ensued regarding sending out third letters, and the Commission agreed that the third letters should go out as soon as possible. The Commission also discussed that if after the third letters go out and some elected officials still have not completed and returned their forms, that an individualized letter go out to these elected officials, that Commissioner Klein will sign, stating that not completing the form sets a poor example for other employees and City commissioners.

As to the second item of new business, follow-up on Council Resolution re: City commission appointment process and communication from Councilwoman Bermudez, Commissioner Klein sent an email to Commissioner Bermudez, Thea Montanez and Linda Bayer that the Ethics Commission is very pleased with the movement on the appointment process and is looking forward to the new City board application and appointment process. Commissioner Klein has heard nothing further and requested that Ms. Mizerak send a follow-up email to Linda Bayer, with a copy to Thea Montanez, inquiring as to a status update.

As to the only item of new business, discussion of the preparation of the annual report, Ms. Mizerak reported that she would follow the same format as previous years in preparing a draft, and asked the Commission for its thoughts on what should be highlighted in this year's report. Commissioner Klein suggested that the Commission highlight that it is pleased that the Administration is undertaking a new process for board and commission appointments and will offer any help it can. Ms. Mizerak will work on a draft report and send it to Commissioner Klein for review and comment.

The meeting was adjourned at 5:17 p.m. The next meeting is scheduled for July 11, 2017, at 5:00 p.m. in the 2nd Floor Function Room.

Respectfully submitted,
Lori Mizerak

MEMORANDUM

TO: MAYOR BRONIN

FROM: CITY OF HARTFORD ETHICS COMMISSION

SUBJECT: 2016-2017 ANNUAL REPORT - COMMISSION ACTIVITIES FOR
JULY 1, 2016 – JUNE 30, 2017

DATE: AUGUST 9, 2017

Attached you will find the minutes of the Ethics Commission's ("Commission") meetings for the above-referenced time period which provide a detailed account of the work that the Commission has completed this past year. We also wish to highlight herein our goals, activities and accomplishments.

Mission and Purpose

The primary responsibility of the Commission is to enforce the City of Hartford Code of Ethics ("Ethics Code"). Specifically, the Ethics Commission is charged with the duty and responsibility to investigate and hear any reported allegations, make findings, and to take any appropriate enforcement actions pursuant to the Ethics Code; render advice, which may include written advisory opinions, to the City Council, Corporation Counsel, or any other public employee or official on the Ethics Code; recommend legislative action as it may deem appropriate to effect the policy of the Ethics Code; and educate all current and new officers, officials, employees, and members of any board, commission or agency about the Ethics Code.

Goals

The Commission presently has four members. One of the Commission's major goals over the past few years has been to identify and bring on board new Commissioners. A new Commissioner was appointed in July 2016, but he unfortunately resigned in September 2016. Thus, while the Ethics Code mandates that the Commission be comprised of five members, the Commission continues to operate, as it has for approximately the last three years, with four members. Although a number of the Commissioners' terms have expired, these Commissioners remain committed to serve until their replacements are appointed. The Commission was pleased to recently learn that the Administration is working to streamline the City boards and commission appointment process, and will offer any assistance in this process. We look forward to the completion of the project and having our commission at full strength.

Activities and Accomplishments

In Fiscal Year 2016-2017, the Commission did not receive any formal complaints or requests for opinions. The hope is that at least in part, this is due to the Commission making efforts to be more proactive in educating City employees, officials and board and Commission members, as well as encouraging that if there are Ethics Code questions that come up in the ordinary course of one's work with the City, that these day-to-day questions be addressed with the Corporation Counsel's Office and more specifically, the member of that office assigned to assist the Commission.

The revisions to the Ethics Code that the Commission worked to implement in fiscal year 2015-2016 were formally adopted by the Council in January 2017. These revisions include: (1) adding language making it explicit that individuals serving in a position identified in Section 2-906, in an acting or interim role, are required to complete a Statement of Financial Interest Form; (2) requiring that individuals list on their Statement of Financial Interest forms any active leases or contracts with the City held or entered into by the individual or a business with which the individual is associated; (3) changing the fines for failure to complete a Statement of Financial Interest form to \$25 per day, with a maximum penalty of \$1,000; (4) adding language that City employees, officials and board members are prohibited from using their position for financial gain for a family member, not limited to a spouse, children, or any dependent relatives residing in the individual's household; and (6) adding language that admission to a charitable or civic event where an official participates in his or her official capacity is exempt from the definition of "gift" under the Ethics Code.

The Commission also has continued to improve in its process as far as the returns on the Annual Statements of Financial Interest forms. This process is presently underway for the 2016 Statements, and is a more stream-lined process utilizing email to communicate with individuals required to complete a form, and creating a pdf fillable form for individuals to use.

In addition, one of the Commission's major goals continues to be the education of City employees and board and commission members, both new and old, about the Ethics Code. To that end, staff conducted Ethics Code trainings with numerous City departments/offices this fiscal year, including the Court of Common Council and the Town Clerk's Office.

Challenges

In previous years, the Commission has, at times, received complaints and advisory opinion requests for guidance on matters that were not within the purview of the Ethics Code. The Commission will continue to engage in more information sharing with City commissions, boards, staff and officials about the purpose of the Ethics Code and the role of the Commission. In addition, and as in previous years, despite the numerous reminders that individuals receive about their obligation to complete an annual Statement of Financial Interest, it continues to be difficult to achieve a 100% completion/return rate. As of June 30, 2017, approximately 29% of statements remain outstanding. Included in this group of individuals who have not yet completed statements are elected officials and those in high level management positions.

Plans for Fiscal Year 2017-2018

The Commission continues to believe that educating individuals about the Ethics Code is an important responsibility and will make efforts to conduct educational sessions with new employees, officials and City board and commission members. In addition, the Commission will continue to review the Ethics Code and make recommendations for revisions, where appropriate, as well as engage with the Mayor's Office and City Council to discuss any revisions they deem appropriate.

Members/Officers

David Klein, Chairperson
Chuck Culliton, Vice Chair/Secretary
Kurtis Denison
Sibongile Magubane

Staff Contact

Lori Mizerak, Assistant Corporation Counsel, Corporation Counsel's Office,
(860) 757-9708, mizel001@hartford.gov.

Although Lori is the primary contact for the Commission, Susan O'Brien, Paralegal, Corporation Counsel's Office, also assists on Ethics Commission matters.

Respectfully Submitted,

David M. Klein
Chairperson

MEMORANDUM

TO: MAYOR LUKE A. BRONIN

FROM: CITY OF HARTFORD ETHICS COMMISSION

SUBJECT: SUMMARY OF COMMISSION EXPENSES FOR JULY 1, 2016 – JUNE 30, 2017

DATE: AUGUST 22, 2017

The Ethics Commission ("Commission") continues to have no budget, although from time to time, does have expenses. In particular, the Ethics Commission periodically incurs outside counsel expenses, which can be significant, and are currently paid for from the budget of the Corporation Counsel's Office. This past fiscal year, the Commission had no outside counsel expenses.



Luke A. Bronin
Mayor

ITEM # 5 ON AGENDA

September 11, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Riverwalk Grant

Dear Council President Clarke:

Attached for your consideration is a resolution authorizing the City to accept a \$2,529,494 grant from the Federal Highway Administration Transportation Alternatives Program for the design and construction of an extension of the Connecticut Riverwalk northward from the Boathouse in Riverside Park to just south of the outflow of Meadow Brook into the Connecticut River.

The City applied for \$1.2 million in grant funds through a competitive process carried out by the Capitol Region Council of Governments (CRCOG). The City was one of three Capitol Region communities selected to receive the grant and was awarded more than twice the amount requested. This is a multi-year grant, with design work beginning immediately and construction commencing in 2019. The Departments of Development Services and Public Works will work in partnership with Riverfront Recapture, Inc. in the development and construction of this project.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "LB", is written over a horizontal line.

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, September 11, 2017

WHEREAS, The City of Hartford applied via the Capitol Region Council of Governments for a Federal Highway Administration Transportation Alternatives Grant of \$1,237,200 for the construction of a northward extension to the Hartford Riverwalk along the Connecticut River; and

WHEREAS, The Connecticut Department of Transportation, the agent of the Federal Highway Administration in the State of Connecticut, awarded the City \$2,529,494 - a greater amount than requested; and

WHEREAS, This grant will allow for the extension of the Riverwalk northward from the Boathouse to just south of Meadow Brook and the City Departments of Development Services and Public Works will work closely with Riverfront Recapture, Inc. in the design and construction of the Riverwalk extension; and

WHEREAS, The Connecticut Department of Transportation will issue a Project Authorization Letter to the City to allow design work to proceed; now, therefore, be it

RESOLVED, That the Mayor is hereby authorized to accept the grant of \$2,529,494 funds from the Federal Highway Administration Transportation Alternatives Grant; and be it further

RESOLVED, That the Mayor is authorized to accept such further sums as may be additionally awarded by the grantor under the same program, for the same authorized contract period, and for the same purposes, 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 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 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.



Luke A. Bronin
Mayor

ITEM # 6 ON AGENDA

September 11, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: CTDOT Lease Agreement

Dear Council President Clarke:

Attached for your consideration is a resolution authorizing the City of Hartford to enter into a Lease Agreement (the "Agreement") with the State of Connecticut, Department of Transportation (the "State") for the use of State-owned land located on the north side of I-84 at the Sisson Avenue off-ramp. A sketch of the premises is attached to this letter.

The purpose of this Agreement is to provide off-street parking for Hartford residents during winter storm parking bans. Such an agreement is currently in place with an expiration date of November 30, 2017. The proposed Agreement would commence on December 1, 2017 and would have an initial term of five (5) years, with the option for two (2) additional five (5) year renewal periods. There would be no cost to the City for use of this property, provided that the premises remain free and open to the public. The Agreement may be terminated at any time by either party, with or without cause, with 30 days' notice to the other party.

Respectfully submitted,

A handwritten signature of Luke A. Bronin in black ink.

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, September 11, 2017

WHEREAS, The City of Hartford (the "City") and the State of Connecticut, Department of Transportation (the "State") desire to enter into a Lease Agreement (the "Agreement") for the City's use of State-owned land located on the northerly side of I-84 at the Sisson Avenue off-ramp (the "Premises") to provide off-street parking for Hartford residents during winter storm parking bans"); and

WHEREAS, The initial term of the Agreement will be five (5) years, commencing on December 1, 2017 and terminating no later than November 30, 2022, and

WHEREAS, The City will have the option to extend the term of the Agreement for two (2) additional five (5) year periods; and

WHEREAS, Either party may terminate the Agreement with 30 days' official notice to the other party, and

WHEREAS, There will be no monetary consideration for the Agreement, provided that the Premises remain free to the public, now, therefore, be it

RESOLVED, That the Mayor is authorized to execute and deliver the Agreement in accordance with the terms set forth above; and be it further

RESOLVED, That the Mayor is hereby 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 effectuate and/or further the purposes of the Agreement; 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 and deliver the Agreement or other documents; 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 and delivering the Agreement or other documents, and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.



Luke A. Bronin
Mayor

ITEM # 7 ON AGENDA

September 11, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

Re: Easement for Charter Oak Landing Access

Dear Council President Clarke:

Attached for your consideration is a resolution authorizing the City to accept an easement from Materials Innovation and Recycling Authority (MIRA) for continued use of the Riverfront Access Road from Reserve Road, across MIRA's property in the South Meadows, to Charter Oak Landing. A map showing the location of the Riverfront Access Road is attached.

One of Hartford's premier parks along the Connecticut River is Charter Oak Landing, with public amenities such as boat launches, performance facilities, children's playgrounds, paved and lighted walkways, and access for fishing on the Connecticut River. The public gains access to the Charter Oak Landing area by travelling over a roadway which runs from Reserve Road to the park and is commonly known as the Riverfront Access Road. This road also provides access to the Connecticut River for police and fire emergency services and for monitoring, maintenance and repair of the City's flood control facilities.

A portion of the Riverfront Access Road, however, is located on property owned by MIRA at Reserve and Maxim Roads and known as the South Meadows Station. MIRA has agreed to grant to the City an easement and/or a right of way to allow continued public access to Charter Oak Landing. The easement will be approximately 425 feet in length and 70 feet in width. There will be no cost to the City for this easement.

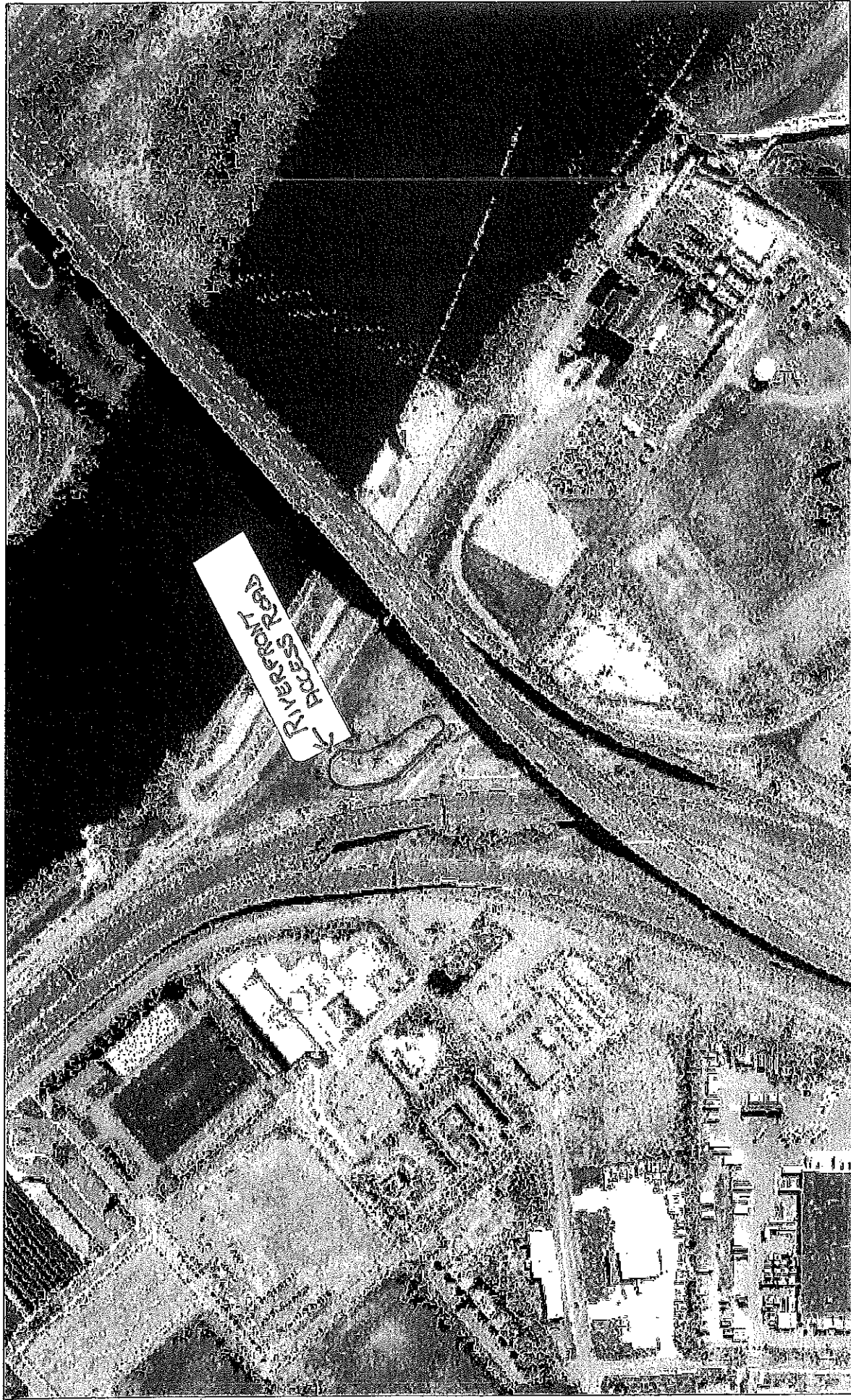
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Luke A. Bronin".

Luke A. Bronin
Mayor

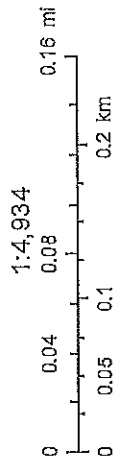
550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

City of Hartford GIS Map



September 5, 2017

Parcels



INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, September 11, 2017

WHEREAS, Materials Innovation and Recycling Authority (“MIRA”) owns a certain parcel of land commonly known as the South Meadows Station located at Reserve and Maxim Roads, Hartford, CT (“South Meadow Station Parcel”); and

WHEREAS, the City of Hartford (“City”) owns a parcel of land along the Connecticut River adjacent to the South Meadow Station Parcel commonly known as Riverfront Park; and

WHEREAS, Riverfront Park is a municipal public park enjoyed by the City’s residents and members of the general public as a recreation area and open space; and

WHEREAS, Riverfront Park features an area known as Charter Oak Landing which provides such public amenities as boat launches, performance facilities, children’s playgrounds, paved and lighted walkways and fishing access to the Connecticut River; and

WHEREAS, Charter Oak Landing also provides access to the Connecticut River for police and fire emergency services and for monitoring, maintaining and repairing of the City’s flood control facilities; and

WHEREAS, the public and City emergency services gain access to the Charter Oak Landing area by travelling over a roadway which runs from Reserve Road to Riverfront Park (“Riverfront Access Road”); and

WHEREAS, a portion of the Riverfront Access Road is located on the South Meadow Station Parcel, property owned by MIRA; and

WHEREAS, MIRA has agreed to grant to the City an easement to allow continued public access to the Charter Oak Landing area, such easement to be subject to any environmental land use restrictions of record; now, therefore, be it

RESOLVED, that the City is authorized to accept an easement and/or a right of way from MIRA over its property at the South Meadows Station located at Reserve and Maxim Roads and to subordinate the easement to any environmental land use restrictions; and be it further

RESOLVED, that the access easement shall be approximately 425 feet in length and 70 feet in width and shall begin at the easterly street line of Reserve Road and shall extend northwesterly, along the center line of the present Riverfront Access Road, to a point of intersection with the property line of land owned by City of Hartford known as Riverfront Park; and be it further

RESOLVED, that the Mayor is hereby authorized to execute any documents, upon and subject to such terms and conditions that the Mayor and the Corporation Counsel may deem appropriate and in the best interests of the City in order to effectuate the above transaction; 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 accept and record any documents, execute such other documents, or 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 documents, and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.

Introduced
by:

Councilwoman Cynthia Jennings

HEADING
AND
PURPOSE

AN ORDINANCE AMENDING CHAPTER 25, SECTION 19 OF THE HARTFORD
MUNICIPAL CODE

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

August 14, 2017

Be It Ordained by the Court of Common Council of the City of Hartford that Chapter 25, Section 19, of the Municipal Code of the City of Hartford is hereby amended to include the following ordinance:

Sec. 25-19. Ordinance Prohibiting Waste Associated with Natural Gas and Oil Extraction

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

(b) **Definitions for the Purposes of this Ordinance:**

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

- 1) "Hydraulic fracturing" shall mean the fracturing of underground rock formations, including shale and non-shale formations, by manmade fluid-driven techniques for the purpose of stimulating oil, natural gas, or other subsurface hydrocarbon production.
- 2) "Natural gas extraction activities" shall mean all geologic or geophysical activities related to the exploration for or extraction of natural gas, including, but not limited to, core and rotary drilling and hydraulic fracturing.
- 3) "Oil extraction activities" shall mean all geologic or geophysical activities related to the exploration for or extraction of oil, including, but not limited, to core and rotary drilling and hydraulic fracturing.
- 4) "Natural gas waste" shall mean: a) any liquid or solid waste or its constituents that is generated as a result of natural gas extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants; b) leachate from solid wastes associated with natural gas extraction activities; c) any waste that is generated as a result of or in association with the underground storage of natural gas; d) any waste that is generated as a result of or in association with liquefied petroleum gas well storage operations; and e) any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.
- 5) "Oil waste" shall mean: a) any liquid or solid waste or its constituents that is generated as a result of oil extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants; b) leachate from solid

wastes associated with oil extraction activities; and c) any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.

- 6) "Application" shall mean the physical act of placing or spreading natural gas waste or oil waste on any road or real property located within the City of Hartford.

(c) Prohibitions

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

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

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

(e) Penalties

This ordinance shall apply to any and all actions occurring on or after the effective date of this ordinance. In response to a violation of this ordinance, the City of Hartford is empowered to a) issue "Cease and Desist" orders demanding abatement of the violation, b) seek any appropriate legal relief, including immediate injunctive relief, as a result of any violation of this ordinance; c) file a complaint with any other proper authority; and d) require remediation of any damage done to any land, road, building, aquifer, well, watercourse, air quality or other asset, be it public or private, within the City of Hartford. The City of Hartford may recoup from the offending person(s), jointly and severally, all costs, including experts, consultants and reasonable attorney's fees, that it incurs as a result of having to prosecute or remediate any infraction of this ordinance. For any violation of this Ordinance, the City of Hartford may also impose fines in the amount of \$250 per violation per day, or such other amount as is allowed by law, and seek any other remedies allowable under the law.

(f) Enforcement:

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

(g) Severability

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

(h) Conflicts with other Ordinances or Codes

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

be found in conflict with this Ordinance.

(i) Transportation

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

This Ordinance shall take effect upon adoption.

ITEM # 9 ON AGENDA

Introduced by:

INTRODUCED BY:

COURT OF COMMON COUNCIL

Council President Thomas J. Clarke II

City of Hartford, March 27, 2017

HEADING
AND
PURPOSE

Section 4-5. This section shall apply to all establishments that sell alcoholic beverages, including bars, nightclubs, and lounges, but not restaurants that do not have separate bar service. After 6 p.m. until closing time, a owners and operators of all such establishments shall cause trained security staff to use electronic identification scanners at all entrances to detect false identification and prevent entry by underage customers. The purpose of this section is to protect minors by helping to prevent sale of alcohol to minors carrying false identification.

This ordinance shall take effect upon adoption.

Assistant Majority Leader John Q. Gale

Introduced
by:

**AN ORDINANCE AMENDING CHAPTER 2 SECTION 2-46 ADMINISTRATIVE
SUPPORT FOR COUNCIL OF THE MUNICIPAL CODE.**

HEADING
AND
PURPOSE

COURT OF COMMON COUNCIL,
CITY OF HARTFORD
May 22, 2017

Be it ordained by the Court of Common Council of the City of Hartford that Chapter 2 Section 2-46 of the Municipal Code be amended as follow:

Sec. 2-46. - Administrative support for council.

The employees of the council shall be as follows:

(A)

~~Each c~~Council member may appoint and employ an executive assistant who shall serve at the pleasure of, and whose duties shall be prescribed by, the council member making said appointment. Such executive assistant shall be an Unclassified Employee.

(B)

~~The council may authorize the council president to employ such other staff and assistants as~~ deemed necessary for conducting official business.

This Ordinance shall be effective upon passage.

Introduced by: Council President Thomas J. Clarke II

HEADING
AND
PURPOSE

SUBSTITUTE

AN ORDINANCE CREATING A REGISTRY OF OWNERS OF RESIDENTIAL
RENTAL PROPERTY AMENDING CHAPTER 18, SECTION 150 OF THE
HARTFORD MUNICIPAL CODE

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

November 14, 2016

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

That Chapter 18, Section 150, of the Municipal Code of the City of Hartford be amended as follows:

18-150. Registration of owners of residential rental property.

(a) Purpose. The City of Hartford is committed to protecting the safety, health and welfare of its residents, to eliminating housing deterioration and blight, and to protecting the public from unsafe structures. To that end, the City has adopted ordinances and has performed regulation, inspections and code enforcement concerning the operation and condition of property within its borders. This ordinance requires registrations and disclosure of contacts the City may use to observe due process in notifying owners of conditions on their property. The City will use the registration in the enforcement of housing, building and fire safety codes, for regular or emergency enforcement action and in the interest of public safety in securing or demolishing buildings or relocating people.

(b) Definitions.

For purposes of this ordinance, "Owner" shall mean any natural person who is the record owner of the property, or if the property is owned by a business entity, "Owner" shall mean an officer, manager or member of such entity, and in the case of a trust, a trustee.

For purposes of this ordinance, "contact information" shall include the name, email address, telephone numbers, business and residential address.

18-151. Registration.

(a) Registration required. It shall be unlawful for owners of certain residential rental property located within the City of Hartford to rent such property without registering with the Division of

Licenses and Inspection. Upon adoption of this ordinance the Division of Licenses and Inspections shall notify Owners of the requirements of this ordinance. Failure to receive such notice shall not waive its requirements. Owners shall register using such forms as are provided by the Division of Licenses and Inspections, within sixty days from the effective date of this ordinance. Violation shall be subject to the penalties set out in Section 1-4 of the Municipal Code.

(b) Exempt Owners. The Housing Authority of the City, owners of properties with fewer than three units, and owners of licensed rooming houses, hotels, motels, condominiums, elderly housing, and student dormitories, shall be exempt from the requirements of this ordinance.

(c) Fees. Owners shall pay a fee upon registration. The fee for initial registration upon adoption of this ordinance, or upon a change of ownership, shall be fifty dollars for up to five residential rental units existing at the rental property, plus twenty dollars for every additional unit. After the initial fee in the first year of registration for a particular owner, the annual renewal fee for that owner shall be twenty dollars for the first five units plus twenty dollars for each additional unit. The fees shall apply whether or not the units are occupied.

(d) Term and renewal. Registrations made after the effective date of this ordinance and prior to June 30, 2017 shall expire on June 30, 2018. Thereafter, registrations shall be effective for one year, beginning on July 1, 2018 and expiring on June 30 of each year. Registrations must be renewed annually.

Registrations shall not be transferable. Upon a change of ownership, the new owner shall register within thirty days after taking title to the property.

18-152. Required information. The registration shall require the following information:

- (a) The property address and tax assessor's parcel identification number for the property.
- (b) The number of rental units on the property.
- (c) Owner's name and mailing address.
- (d) Owner's contact information, which shall include residential and business mailing address, telephone number and email address. If the owner is not a natural person, the Owner shall provide the same contact information for each officer, member or manager of any business entity, or in the case of a trust, the contact information for each trustee.
- (e) The contact information of a responsible adult residing in Connecticut, or a company doing business in Connecticut, who or which is and shall be responsible for the care, management and maintenance of the property and is authorized to accept legal process and notices on behalf of the owner if the owner resides or has its principal place of business outside of Connecticut.
- (f) The name and contact information of any person holding a mortgage on the property.
- (g) The name and contact information of the Owner's insurer of the property. The Owner must notify the City in the event of a change or cancellation of insurance on the property.
- (h) The registration form shall be signed by the owner, who shall certify that all the information offered in the registration is true and correct to the best of his or her knowledge and belief, so that any willfully false statement will be subject to penalty under the law for the making of a false statement.
- (i) Proof of insurance including the name of the insurance company, address, business telephone number of the insurance provider along with a copy of the insurance policy,

along with proof of the insurance coverage amount for both liability and fire, that covers at a minimum the value of the property.

This ordinance shall take effect upon adoption.



ON AGENDA

Luke A. Bronin
Mayor

June 12, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Defined Contribution Plan

Dear Council President Clarke:

Attached, for your consideration, please find an ordinance establishing the defined contribution pension plan design and other requirements for all non-union employees hired on or after July 1, 2017. The Court of Common Council authorized the development of this plan by ordinance dated January 23, 2017.

The attached ordinance includes the following design elements:

<i>Employee contribution:</i>	Not less than 3.0%
<i>Employer contribution:</i>	Not less than 3.0% with matching of employee contribution not-to-exceed 7.0%
<i>Employee vesting:</i>	Year one: 0%
	Year two: 20%
	Year three: 50%
	Year four: 80%
	Year five: 100%

Non-union employees hired on or after July 1, 2017 will have the option to participate in this defined contribution plan, as they do with the current defined benefit plan. Employees who choose to participate will be required to contribute a minimum of 3% of their salary to the plan with the ability to increase their contribution to the maximum amount allowed by the Internal Revenue Service. The City will match the employee's contribution up to a maximum of 7%. The defined contribution plan participants will gain a vested interest in the contributions of both the employee and the City in accordance with the schedule shown above.

As you are aware, the Pension Commission is required to administer all of the City's retirement plans and, in accordance with this requirement, will administer this defined contribution plan. The City Treasurer and members of my Administration are available to assist you in reviewing this ordinance.

Respectfully submitted,

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

Introduced by:

Mayor Luke A. Bronin

HEADING
AND
PURPOSE

**AN ORDINANCE AMENDING CHAPTER 2A - PENSIONS, SECTION 2A-5,
SECTION 2A-6, AND SECTION 2A-25 OF THE HARTFORD MUNICIPAL CODE**

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

June 12, 2017

Be It Hereby Ordained by the Court of Common Council of the City of Hartford that Chapter 2A, Section 2A-5, Section 2A-6, and Section 2A-25 of the Municipal Code of Hartford be amended as follows:

Article I. General Provisions

Sec. 2A-5. - Definitions.

As used in this chapter, the following terms shall have the meanings ascribed thereto below, unless, and then only to the extent, a subsequent definition specifically provides for a different meaning with respect to any such term within the context of a particular section or subsection.

- (1) " *Actual service* " shall consist, for purposes of establishing both vested (i.e. nonforfeitable) rights to, and eligibility to receive, any benefits provided herein which are conditioned upon the completion of such service, of the following:
- a. Any period or periods during which a member provided service to the city, library or board by working a full time schedule and for which a member has contributed the requisite portions of his or her earnings to the fund;
 - b. Any of those periods referenced in subsections (1)b.1 through 5 below, during which a member provided service to the city, library or board by working anything less than a full time schedule, and for which a member has contributed the requisite portions of his or her earnings to the fund, including:
 1. Periods of employment in a position in the unclassified service of the city for which the member has timely elected to receive credit for such service pursuant to the provisions of Ordinance Number 50-98;
 2. Periods of employment with the city during which a member worked at least twenty (20) hours a week and was represented for collective bargaining purposes by the Municipal Lawyers Association;
 3. Periods of employment during which a member is, or was, classified as a part time professional employee of the library;
 4. Periods of employment during which a member is, or was, classified as a part

- time employee of the board; and
5. Periods of employment after returning from maternity or paternity leave, so long as the member worked a full time schedule immediately prior to such leave and subsequently returned to full time employment, provided that the member was eligible for, and timely elected to receive, credit for such service pursuant to the provisions of Ordinance No. 18-03.
 - c. Any period or periods of qualified USERRA service as defined in section 2A-7, regardless of whether a member has purchased or otherwise elected to receive USERRA credit pursuant to section 2A-7(d); and
 - d. Any period or periods during which an employee received weekly payments representing income replacement under the Workers' Compensation Act.
- (2) A member's "*basic weekly pay*" shall mean the gross wages that a member would be paid per week based upon the rate of pay used to calculate the lump sum amounts paid to a member on account of accrued vacation and sick time upon his or her termination of employment.
- (3) A "*break-in-service*" results from any absence, without pay, which lasts more than ninety (90) consecutive days, unless:
- a. The break-in-service is longer than the period of the employee's prior service, and the member applies for, and is granted, a leave of absence, by the Hartford Court of Common Council;
 - b. The break-in-service is equal to or less than the period of the employee's prior service, and the member applies for, and is granted, a leave of absence by the Pension Commission, provided that an employee whose request for a leave of absence has been denied by the Pension Commission shall have the right, within thirty (30) days of the denial, to apply to the Court of Common Council, which shall make a de novo determination of the employee's request for a leave of absence;
 - c. The absence is caused by a disability that routinely requires the regular attendance of a physician;
 - d. The member was receiving weekly payments representing income replacement under the Worker's Compensation Act during the period of absence; or
 - e. The absence resulted from the member's provision of qualified USERRA service as defined in section 2A-7(a), and, after completing that service, the member returned immediately to city, library or board employment.
- (4) "*Continuous service*" shall refer to any period of actual service that is not interrupted by a break-in-service.
- (5) "*Creditable accrued sick time*" shall mean that period of time commencing with the member's effective date of retirement, for which such member would continue to receive his or her basic weekly pay if such member were to receive amounts paid thereto for accrued sick time upon his or her termination of employment on a weekly basis, as opposed to in a lump sum, without regard to whether any days in such time period are or have been designated holidays for active employees.
- (6) "*Creditable accrued vacation time*" shall mean that period of time between the day following a member's last day of work and the date upon which such member's last day of

work would have occurred had such member remained an active employee and received payments for his or her accrued vacation on a weekly basis, as opposed to a lump sum basis, both dates inclusive.

- (7) "*Creditable accrued vacation and sick time*" shall mean the sum of a member's creditable accrued vacation time and creditable accrued sick time.
- (8) "*Creditable actual service*" shall include all actual service except: (1) periods of qualified USERRA service for which the member has not purchased or received USERRA credit pursuant to section 2A-7(d); and (2) periods of absence in excess of ninety (90) days, even if such absences do not constitute a break in service for purposes of determining continuity of service, if during such absence the member was receiving neither weekly payments representing income replacement under the Workers' Compensation Act nor earnings from which employee contributions are properly deducted pursuant to the provisions of this chapter.
- (9) A member's "*date of retirement*" shall be established by an application signed by both the member's appointing officer and either the mayor (or his or her designee), or the superintendent of schools (or his or her designee) for employees of the board of education. Payment of a member's retirement allowance shall be subject to the approval of the pension commission as to the member's eligibility and the amount of his or her allowance.
- (10) *Employee references.* For purposes of this chapter, the following terms shall be utilized in referencing employees.
 - a. "*NBU-GG employees*" shall refer to those nonbargaining unit general government employees of the city who are not: (a) sworn police officers or firefighters, (b) board employees, or (c) library employees, who are members of the fund.
 - 1. "*Pre-2011 NBU-GG employees*" shall refer to those NBU-GG employees whose initial date of hire with the City is before January 1, 2011.
 - 2. "*Post-2011 NBU-GG employees*" shall refer to those NBU-GG employees whose initial date of hire with the City is on or after January 1, 2011.
 - 3. "*Post-2017 NBU-GG employees*" shall refer to those NBU-GG employees whose initial date of hire with the City is on or after July 1, 2017.
 - b. "*CWA employees*" shall refer to those employee members of the fund who are represented for collective bargaining purposes by the Communication Workers of America.
 - c. "*CHPEA employees*" shall refer to those employee members of the fund who are represented for collective bargaining purposes by the City of Hartford Professional Employees' Association.
 - 1. "*Pre-1997 CHPEA employees*" shall refer to those CHPEA employees who were hired into the CHPEA bargaining unit before October 1, 1997.
 - 2. "*Post-1997 CHPEA employees*" shall refer to those CHPEA employees hired into the bargaining unit on or after October 1, 1997 but before June 23, 2003.
 - 3. "*2003 CHPEA employees*" shall refer to those CHPEA employees whose initial date of employment with the city is on or after June 23, 2003.
 - d. "*HMEA employees*" shall refer to those employee members of the fund who are

represented for collective bargaining purposes by the Hartford Municipal Employees' Association ("HMEA").

1. *"Post-2003 HMEA employees"* shall refer to those HMEA employees whose initial date of hire with the city is on or after July 1, 2003.
 2. *"Pre-2003 HMEA employees"* shall refer to those HMEA employees whose initial date of hire with the city is before July 1, 2003.
 3. *"ISD HMEA employees"* shall refer to those members of the fund to whom all of the following criteria apply:
 - (i) Where HMEA employees, employed in the city's former Information Services Department ("ISD"), immediately prior to their layoff or retirement from city employment;
 - (ii) Whose job duties in the ISD were transferred to the city's Metro Hartford Information Services Department ("MHIS");
 - (iii) Were not offered comparable employment in MHIS within twenty-four (24) months following their layoff or retirement;
 - (iv) Whose last day worked with the city due to subsection (ii), above was between the dates of July 1, 2002 and May 30, 2003; and
 - (v) Are currently receiving a retirement allowance from the fund as of June 9, 2008, the date on which the court of common council adopted a resolution affirming the terms of a settlement agreement between HMEA and the city.
- e. *"MLA employees"* shall refer to those employee members of the fund who are represented for collective bargaining purposes by the City of Hartford Municipal Lawyers' Association.
- f. *"NBU-P/F employees"* shall refer to those employee members of the fund who are sworn police officers not represented for collective bargaining purposes by the Hartford Police Union and those employee members of the fund who are firefighters who are not represented for collective bargaining purposes by Local 760, International Association of Firefighters.
1. *"Pre-1997 NBU-P/F employees"* shall refer to those NBU-P/F employees who were employed as sworn police officers or firefighters before December 31, 1996.
 2. *"Post-1997 NBU-P/F employees"* shall refer to those NBU-P/F employees who were employed as sworn police officers or firefighters on or after December 31, 1996 but before January 1, 2011.
 3. *"2011 NBU-P/F employees"* shall refer to those NBU-P/F employees whose initial date of hire with the City is on or after January 1, 2011.
- g. *"HPU sworn officers"* shall refer to those employee members of the Fund who are sworn police officers represented for collective bargaining purposes by the Hartford Police Union.
1. *"Post-1999 HPU sworn officers"* shall refer to those HPU sworn officers hired after July 1, 1999.

2. " *Pre-1999 HPU sworn officers* " shall refer to those HPU sworn officers hired on or before July 1, 1999.
- h. " *HPU non-sworn employees* " shall refer to those employee members of the Fund who are not sworn police officers but are represented for collective bargaining purposes by the Hartford Police Union.
- i. " *Local 760 employees* " shall refer to those employee members of the Fund who are represented for collective bargaining purposes by Local 760, International Association of Firefighters.
 1. " *Post-2003 Local 760 employees* " shall refer to those Local 760 employees hired into the bargaining unit on or after July 1, 2003.
 2. " *Pre-2003 Local 760 employees* " shall refer to those Local 760 employees hired into the bargaining unit before July 1, 2003.
- j. " *SCGA employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by the School Crossing Guards' Association.
- k. " *NBU-HPL employees* " shall refer to those nonbargaining unit employees of the library who are members of the fund.
- l. " *Local 1716-HPL employees* " shall refer to those employees of the library who are represented for collective bargaining purposes by Local 1716 who are members of the fund.
- m. " *NBU-BOE employees* " shall refer to those nonbargaining unit employees of the board who are members of the fund.
- n. " *Local 78 employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 78, Hartford Schools Support Supervisors.
- o. " *Local 82 employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 82, Hartford Education Support Personnel.
- p. " *Local 818 employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 818, Building and Grounds Supervisors.
- q. " *Local 1018A/B employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 1018A/B, Hartford Federation of School Health Professionals who are members of the fund.
- r. " *Local 1018C employees* " shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 1018C, Hartford Federation of School Secretaries.
- s. " *Local 1018D employees* " shall refer to those employee members of the Fund who are represented for collective bargaining purposes by Local 1018D, Hartford Federation of Corridor Supervisors.
- t. " *Local 2221 employees* " shall refer to those employee members of the Fund who are represented for collective bargaining purposes by Local 2221, Hartford

Federation of Paraprofessionals.

- u. "HFCDA-BOE" shall refer to those employee members of the fund who are represented for collective bargaining purposes by Local 1018F, AFT, AFL-CIO.
- (11) A member's " *effective date of retirement* " shall be the day after the period of time following such member's last day of work which is equal to his or her creditable accrued vacation time.
- (12) A member's " *final average pay* " shall be based upon his or her gross earnings only to the extent that: (1) the provisions of this chapter specifically provide for his or her final average pay to be calculated in that manner; and (2) such final average pay is calculated in accordance with subsection (14). Unless, and then only to the extent, this chapter provides that a member's final average pay is to be based upon his or her gross earnings over a stated period of time, a member's final average pay shall not include any amounts paid to such member upon or by reason of his or her termination of employment either for accrued sick time or as a severance payment.
- (13) The " *final average pay period* " for each member shall mean those total number of such member's final years of service from which some subset thereof is to be used for purposes of determining such member's final average pay. Thus, for example, if a member is entitled to have his or her pension benefit calculated on the basis of his or her highest two (2) of his or her last five (5) years of gross earnings, then such member's final average pay period is such five (5) year period. Except as otherwise provided in subsection (14) below, a member's final average pay period shall end on the day prior to his or her effective date of retirement.
- (14) Commencing on August 1, 1993, a member's " *gross earnings* " with respect to any year of service shall mean and include all amounts payable by the city directly to such member for services rendered by such member to the city (including, but not limited to, any and all of its agencies, commissions, boards, offices and departments) within such time period which amounts shall include, but not necessarily be limited to, such member's basic salary, payments for or in lieu of overtime, longevity pay, and retroactive pay increases, as and to the extent each is attributable to such services, but, except as provided in this subsection below, shall not include either any amounts paid for services rendered in some other time period or any payments made to a member upon and by reason of his or her termination of employment (including, but not limited to any and all severance payments and lump sum payments for accrued vacation and sick time).
- Calculation of gross earnings.* Commencing on August 1, 1993, any member whose final average pay is based upon his or her gross earnings over a stated period of time shall have his or her gross earnings adjusted to account for any lump sum payments made to such member for accrued vacation and sick time upon his or her termination of employment by, and only by, adjusting such member's final average pay period such that the last day of that period corresponds to what such member's last day of work would have been had such member continued to work beyond his or her actual last day of work for that period of time equal to his or her creditable accrued vacation and sick time; providing however, that nothing herein shall be construed to permit or require the adjustment of the length of time included within a member's final average pay period. Thus, expressed as a formula, and subject to the foregoing provisos, a member whose final average pay is based on gross

earnings shall have his or her final average pay period adjusted as follows:

Last day of final average pay period	=	Last day of work	+	Creditable accrued vacation and sick time
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- (15) Commencing on August 1, 1993, a member's "*last day of work*" prior to retirement shall be that date designated by the city as the last day on which he or she was expected to provide services to the city, which, in any case, shall not include any period of time that an employee is carried on the city's books and records as an employee to account for the lump sum payment of accrued vacation time to such member in connection with his or her termination of employment with the city. A member's bona fide absence from work on any date under and in accordance with the city's personnel rules and/or such member's collective bargaining agreement, as applicable, shall not be considered a basis for determining that such member was not expected to provide services to the city on such date.
- (16) "*Member*" shall mean an individual who, by virtue of his or her employment with the city, library or board:
- Is, or was, eligible to participate in the fund;
 - Has in fact participated in the fund by satisfying applicable employee contributions; and
 - Is either: (1) receiving an allowance provided hereunder; (2) eligible to receive an allowance provided hereunder at some future date certain; (3) continuing to provide employee contributions to the fund as provided hereunder; or (4) no longer providing employee contributions but has not withdrawn such contributions pursuant to the terms hereof.
- (17) "*Qualified surviving spouse*" shall mean the surviving spouse of a member who shall have been married to the member prior to his or her retirement, which, for purposes of this definition only, shall be deemed to mean the date of termination of active employment, including any service attributable to creditable accrued vacation time.

Sec. 2A-6. - Contributions.

- (a) *City contributions.* The city shall pay annually into the fund such proportion of the pay of all members employed by the city, library or board as may be determined from time to time by the pension commission on sound actuarial principles to be necessary in addition to the contributions by members to provide future pensions based on service rendered by members. The pension commission shall make a complete actuarial study of the experience of the retirement system established by this chapter at intervals of no more than five (5) years and shall thereupon readjust the contributions to be made by the city.

Section 401(a) Plan City contributions. The city shall pay annually into the designated

account an amount equal to the proportion of pay contributed by each participating Post-2017 NBU-GG member, provided that each participating Post-2017 NBU-GG member shall contribute a minimum of three percent (3.0%) of the salaried compensation of the participating employee, and further provided that the city contribution shall not exceed seven percent (7.0%) of the salaried compensation of the participating employee.

- (b) *Employee contributions.* Employees participating in the fund shall contribute to the fund in the amounts and manner as may hereafter be required in this chapter.

(1) *Section 414(h)(2) pickup plan—The City of Hartford pickup of mandatory retirement contributions to the fund.* The city hereby establishes a 414(h)(2) pickup plan (the "plan") under section 414(h)(2) of the Internal Revenue Code (the "code") subject to and in accordance with the terms set forth in this subsection (b)(1). The purpose of the plan is to enable certain employees' mandatory contributions to the fund to be made in such a manner that the value of such contributions are neither subject to the payment of federal income taxes until such contributions are distributed to such employees, nor withholding of such taxes when such contributions are made, all as and to the extent permitted by the code. The employee contributions of those members who are expressly identified as "414(h)(2) plan participants" shall be governed by this subsection (b)(1).

- a. "414(h)(2) plan participants" shall refer to: CHPEA employees; CWA employees; HMEA employees; HPU sworn officers; HPU non-sworn employees; Local 78 employees; Local 760 employees; Local 1716-HPL employees; MLA employees; NBU-BOE employees; NBU-GG employees; NBU-HPL employees; and NBU-P/F employees.
- b. The city shall pick up and pay all contributions which are required to be made to the fund by section 414(h)(2) plan participants in respect of earnings earned by such employees. Nothing herein shall relieve any employee from any obligation to make any contributions to the fund, it being the intent and effect hereof instead, that the city shall simply pay each 414(h)(2) plan participant's contributions to the fund in lieu of such employee paying such contributions.
- c. In consideration of the city's picking up such contributions, section 414(h)(2) plan participants shall have their earnings reduced by an amount equal to the contributions so picked up by the city. Additionally, 414(h)(2) plan participants shall not have the option of electing to receive their pension contributions directly rather than having such amounts paid by the city to the fund. Other than for federal income tax and withholding purposes, however, all employee pension contributions so picked up by the city on behalf of any employee shall be considered to be included in such employee's annual gross salary and shall for all purposes of this chapter and the fund be deemed to be included in such employee's earnings and otherwise be treated in the same manner and to the same extent as employee pension contributions made prior to January 10, 1993.
- d. Notwithstanding anything set forth in section 2A-4 or any other provision of this chapter, to the contrary: (1) on or after January 10, 1993, each and every NBU-GG employee who is a member of the unclassified service also shall be a member of the fund, unless (i) he or she has elected not to be a member of such fund prior

to said date, or (ii) if he or she becomes a member of the unclassified service after January 10, 1993, he or she elects not to be a member of such fund within thirty (30) days of becoming a member of such service; and (2) any election not to be a member of the fund which is made by, or is effective with respect to, any nonbargaining unit employee who is a member of the unclassified service on or after January 10, 1993 shall be irrevocable, unless (and then, only to the extent) he or she becomes a classified employee, in which case, he or she shall thereby become a member of such fund.

- e. Notwithstanding anything set forth in section 2A-4 or any other provision of this chapter, to the contrary, all members of any collective bargaining unit (whether classified or unclassified) whose collective bargaining agreement provides for the implementation of a 414(h)(2) plan, and who otherwise are eligible to participate in the fund, shall be members of such fund.
- f. Notwithstanding anything set forth in this subsection (b)(1), or in any other provisions of this chapter to the contrary, any member of the fund who makes contributions pursuant to the provisions of section 2A-7 or section 2A-8 shall not have such amounts picked up by the city pursuant to these provisions.

(2) Section 401(a) pickup plan—The City of Hartford pickup of mandatory retirement contributions to the plan. The city hereby establishes a 401(a) pickup plan (the "401(a) plan") under section 401(a) of the Internal Revenue Code subject to and in accordance with the terms set forth in this subsection (b)(2). The purpose of the 401(a) plan is to enable certain employees' mandatory contributions to the plan to be made in such a manner that the value of such contributions are neither subject to the payment of federal income taxes until such contributions are distributed to such employees, nor withholding of such taxes when such contributions are made, all as and to the extent permitted by the Internal Revenue Code. The employee contributions of those members who are expressly identified as "401(a) plan participants" shall be governed by this subsection (b)(2).

- a. "401(a) plan participants" shall refer to: Post-2017 NBU-GG employees.
- b. The city shall pick up and pay all contributions which are required at a minimum of three percent (3.0%) of salaried compensation to be made to the plan by section 401(a) plan participants in respect of earnings earned by such employees. Nothing herein shall relieve any employee from any obligation to make any contributions to the fund, it being the intent and effect hereof instead, that the city shall simply pay each 401(a) plan participant's contributions to the fund in lieu of such employee paying such contributions.
- c. In consideration of the city's picking up such contributions, section 401(a) plan participants shall have their earnings reduced by an amount equal to the contributions so picked up by the city. Additionally, 401(a) plan participants shall not have the option of electing to receive their pension contributions directly rather than having such amounts paid by the city to the fund. Other than for federal income tax and withholding purposes, however, all employee pension contributions so picked up by the city on behalf of any employee shall be

considered to be included in such employee's annual gross salary and shall for all purposes of this chapter and the plan be deemed to be included in such employee's earnings.

d. Notwithstanding anything set forth in section 2A-4 or any other provision of this chapter, to the contrary: (1) on or after July 1, 2017, each and every NBU-GG employee who is a member of the unclassified service also shall be a member of the plan, unless (i) he or she has elected not to be a member of such plan, or (ii) if he or she becomes a member of the unclassified service after July 1, 2017, he or she elects not to be a member of such fund within thirty (30) days of becoming a member of such service; and (2) any election not to be a member of the plan which is made by, or is effective with respect to, any nonbargaining unit employee who is a member of the unclassified service on or after July 1, 2017 shall be irrevocable, unless he or she becomes a classified employee, in which case, he or she shall thereby become a member of such fund.

e. Notwithstanding anything set forth in this subsection (b)(2), or in any other provisions of this chapter to the contrary, any member of the plan who makes contributions pursuant to the provisions of section 2A-8 shall not have such amounts picked up by the city pursuant to these provisions.

[(2)] (3) *Participation in section 125 plan.* Notwithstanding any other provisions of this chapter to the contrary, whenever any contributions to the fund by any member are required to be made based upon a percentage of the employee's earnings on which Social Security taxes are paid (hereinafter "Social Security wages"), or any member's pension benefits are based upon such member's Social Security wages, and in either event, such member is or was a participant in any plan offered by the city under section 125 of the Internal Revenue Code (the "code") or any like provisions of the code whereby the employee's earnings on which Social Security taxes are paid, are or were reduced by such employee's contributions under such plan (hereinafter, a "pre-tax benefit plan"), such contributions shall be made and such benefits shall be provided in the same amounts and in the same manner as if such member was not a participant in such pre-tax benefit plan; it being the intent hereof that any member's participation in a pre-tax benefit plan shall not have any effect on the timing and amounts of such member's contributions to or benefits from the fund. Without limiting the generality of the foregoing, any member who participates in a pre-tax benefit plan whose contributions to the fund are calculated based upon such member's Social Security wages shall contribute to the fund in those amounts and in that manner such that (i) such member's Social Security wages shall be deemed to include any amounts not subject to taxation by reason of such member's participation in such pre-tax benefit plan, and (ii) any increased contributions which otherwise are required to be made by such member in any given year on the balance of such member's earnings on which Social Security taxes are not paid (hereinafter, "excess wages"), shall commence only when such member has earned that amount when, but for such member's participation in a pre-tax benefit plan, such member otherwise would be required to begin making such increased

contributions, but thereafter shall be made in respect of the total of such member's Social Security wages and his or her excess wages. Additionally, if any member's pension benefits are based upon such member's final average pay and/or Social Security wages, such pay and wages shall include any amounts not subject to taxation by reason of such member's participation in a pre-tax benefit plan.

[(3)] (4) *Interest on employee contributions.* Interest on employee contributions shall be credited to members only, if at all, to the extent as may hereafter be provided in this chapter.

[(4)] (5) *Refund of employee contributions.* Section 2A-6(b)(4) employees shall have their employee contributions to the fund refunded as provided hereunder.

- a. "Section 2A-6(b)(4) employees" shall mean: CWA employees; CHPEA employees; HMEA employees; HPU non-sworn employees; Local 78 employees; Local 82 employees; Local 818 employees; Local 1018A/B employees; Local 1018C employees; Local 1018D employees; Local 1716-HPL employees; Local 2221 employees; MLA employees; NBU-BOE employees; NBU-GG employees; NBU-HPL employees; those NBU-P/F employees who have elected to receive NBU-GG benefits pursuant to section 2A-30; and SCGA employees.
- b. Upon separation from city service, the interest and contributions credited to a section 2A-6(b)(4) employee are payable to that employee except that no such payment will be made to an employee granted a normal, early or disability retirement allowance.
- c. In case of the death of a member before his or her rights to and/or interests in any normal or early retirement allowance have vested, or in the case of the death of the member and, as applicable, his or her qualified surviving spouse, after the member's rights to and/or interests in any normal or early retirement allowance have vested but before any such allowance has been paid to the member or his or her surviving spouse, the interest and contributions credited to the subject employee are payable to the beneficiary or beneficiaries, if any, named by such member. In case of the death of a member and, as applicable, his or her qualified surviving spouse, after the member or his or her qualified surviving spouse has commenced receiving a retirement allowance provided hereunder, the contributions credited to the subject employee, less any retirement allowance paid to the member or a qualified surviving spouse, are payable to the beneficiary or beneficiaries, if any, named by such member.

If no named beneficiaries survive the member, or the qualified surviving spouse of the member and his or her spouse or domestic partner, payment shall be made to the executors or administrators of such member or his or her qualified surviving spouse, as the case may be, except that, if the amount is less than one thousand dollars (\$1,000.00), the refund may be made, at the option of the pension commission, in accordance with the terms of section 45-266 of the General Statutes or any amendment thereto.

- d. All payments of interest and/or contributions provided hereunder shall be made upon request to, and order of, the pension commission. If no request is made

within ten (10) years, such interest and/or contributions shall revert to the fund.

Sec. 2A-25. - NBU-GG provisions.

- (a) The pension rights and benefits of NBU-GG employees enumerated in Chapter 2A, Article I shall include those rights and benefits enumerated below in this section.
- (b) Definitions. As used in this section, the following terms shall have the meanings ascribed thereto below.

- (1) "*Final average pay*" for all NBU-GG employees shall equal the average gross earnings for the highest five (5) of the last ten (10) years' gross earnings, unless the employee had previously elected to have his or her average pay computed on the basis of the employee's highest two (2) of the last five (5) years of his or her gross earnings as provided in this subsection (b)(1) below.

Alternate final average pay election. Commencing July 1, 1988, any NBU-GG employee may elect to have his or her final average pay equal the average gross earnings for the highest two (2) of the last five (5) years of his or her gross earnings. Any NBU-GG employee who elects to have his or her final average pay computed on the basis of the employee's highest two (2) of the last five (5) years of his or her gross earnings shall make such election by filing a notice thereof with the City treasurer on or before November 1, 1988, or within thirty (30) days of his or her commencement of employment as a NBU-GG employee, whichever is later.

- (2) *Year(s) of creditable service.*

- a. For purposes of calculating the amount of any retirement allowance that is based upon the provision of a specified percentage of final average pay for each year of creditable service, a Pre-2011 NBU-GG employee's year(s) of creditable service may include:
 - 1. Creditable actual service;
 - 2. Transferred service, to the extent the employee is otherwise entitled to have such service credited pursuant to the provisions of section 2A-8(a)(1);
 - 3. Sick exchange credit, to the extent the employee is otherwise required to make such exchange pursuant to the provisions of section 2A-8(a)(3);
 - 4. Prior military service, to the extent the employee is otherwise entitled to have such service credited pursuant to the provisions of section 2A-8(a)(2) and provided that the employee has submitted written notice to the pension commission of his or her election to do so by January 1, 1985, or within one (1) year of the member's employment, whichever is later; and
 - 5. Qualified non-City service, to the extent the employee is otherwise entitled to have such service credited pursuant to the provisions of section 2A-8(a)(4) and provided that the employee has submitted written notice to the pension commission of his or her election to do so by December 31, 1999, or within one (1) year of his or her employment, whichever is later.
 - 6. Qualified Hartford Economic Development Commission service, to the

extent the employee is otherwise entitled to have such service credited pursuant to the provisions of Section 2A-8(a)(5) and provided that the employee has submitted written notice to the Pension Commission of his or her election to do so by April 30, 2007, or within one (1) year of his employment, whichever is later.

- b. For purposes of calculating the amount of any retirement allowance that is based upon the provision of a specified percentage of final average pay for each year of creditable service, a Post-2011 NBU-GG employee's and Post-2017 NBU-GG employee's year(s) of creditable service may include:
 1. Creditable actual service;
 2. Transferred service, to the extent the employee is otherwise entitled to have such service credited pursuant to the provisions of section 2A-8(a)(1);
 3. Prior military service, to the extent the employee is otherwise entitled to have such service credited pursuant to the provisions of section 2A-8(a)(2) and provided that the employee has submitted written notice to the pension commission of his or her election to do so by January 1, 1985, or within one (1) year of the member's employment, whichever is later; and
 4. Qualified non-City service, to the extent the employee is otherwise entitled to have such service credited pursuant to the provisions of section 2A-8(a)(4) and provided that the employee has submitted written notice to the pension commission of his or her election to do so by December 31, 1999, or within one (1) year of his or her employment, whichever is later.
 5. Qualified Hartford Economic Development Commission service, to the extent the employee is otherwise entitled to have such service credited pursuant to the provisions of Section 2A-8(a)(5) and provided that the employee has submitted written notice to the Pension Commission of his or her election to do so by April 30, 2007, or within one (1) year of his employment, whichever is later.

(c) Employee contributions.

- (1) *Final average pay based upon the highest five (5) of the last ten (10) years of service.*

NBU-GG employees whose final average pay is based upon the highest five (5) of the last ten (10) years of service shall contribute to the fund a total of four percent (4%) of the employee's earnings on which Social Security taxes are paid and seven percent (7%) on the balance of the employee's earnings. Effective the pay period beginning July 5, 2009 (pay date July 24, 2009), NBU-GG employees shall contribute to the fund a total of five percent (5%) of the employee's earnings on which Social Security taxes are paid and eight percent (8%) on the balance of the employee's earnings. Effective the first pay period in January 2014, NBU-GG employees who have not exercised the Alternate Final Average Pay election shall contribute to the fund a total of six and one-half percent (6½%) of the employee's earnings on which Social Security taxes are paid and nine and one-half percent (9½%) on the balance of the employee's earnings.
- (2) *Final average pay based upon the highest two (2) of the last five (5) years of service.*

NBU-GG employees whose final average pay is based upon the highest two (2) of the last five (5) years' gross earnings shall contribute to the fund five percent (5%) of the employees' earnings on which Social Security taxes are paid and eight percent (8%) on the balance of the employee's earnings. Effective the pay period beginning July 5, 2009 (pay date July 24, 2009), this classification of NBU-GG employees shall contribute to the fund a total of six percent (6%) of the employee's earnings on which Social Security taxes are paid and nine percent (9%) on the balance of the employee's earnings. Effective the first pay period in January 2014, NBU-GG employees having exercised the Alternate Final Average Pay election shall contribute to the fund a total of seven and one-half percent (7½%) of the employee's earnings on which Social Security taxes are paid and ten and one-half percent (10½%) on the balance of the employee's earnings. Post-2017 NBU-GG employees shall contribute to the 401(a) plan an amount equal to a minimum of three percent (3.0%) of the salaried compensation of the participating employee.

(1) Section 414(h)(2) plan participants. NBU-GG employee contributions to the fund are picked up by the City pursuant to section 2A-6(b)(1), and each NBU-GG employee's earnings for each pay period are reduced by an amount equal to his or her contributions so picked up by the City pursuant to that section.

(2) Section 401(a) plan participants. Post-2017 NBU-GG employee contributions to the fund are picked up by the City pursuant to section 2A-6(b)(1), and each NBU-GG employee's earnings for each pay period are reduced by an amount equal to his or her contributions so picked up by the City pursuant to that section.

[(2)] (3) Interest on contributions. Effective July 1, 1980, the City will credit to a NBU-GG employee's contributions to the fund three percent (3%) interest on such contributions in the fund on June 30, 1979. Commencing July 1, 1981, and each July 1st thereafter, pension contributions and any interest credited as of the previous year's June 30th will be credited with three percent (3%) interest.

[(3)] (4) Refund of contributions. NBU-GG employees may have their contributions refunded in accordance with subsection 2A-6(b)(4).

(d) Vesting. [A] All Pre-2011 NBU-GG employee's rights to and/or interests in any normal or early retirement allowance shall vest upon completion of five (5) years' continuous service, regardless of age. The survivor benefits herein provided with respect to any normal or early retirement shall attach to the vesting privilege, but shall be payable only at such time as the member becomes eligible, or, in the case of a deceased member, would have become eligible, for an allowance under the member's normal or early retirement provisions.

All Post-2017 NBU-GG employee's rights to and/or interests in any normal or early retirement allowance shall vest upon completion of the following schedule of continuous years of service, regardless of age:

Year one (1): zero percent (0.0%)

Year two (2): twenty percent (20.0%)

Year three (3): fifty percent (50.0%)

Year four (4): eighty percent (80.0%)

Year five (5): one hundred percent (100.0%)

The survivor benefits herein provided with respect to any normal or early retirement shall attach to the vesting privilege, but shall be payable only at such time as the member becomes eligible, or, in the case of a deceased member, would have become eligible, for an allowance under the member's normal or early retirement provisions.

Any NBU-GG employee's rights to and/or interests in receiving any normal or early retirement allowance, and any surviving spouse's rights to and/or interests in receiving a survivor's allowance, from the fund shall be subject to and remain contingent upon the member's, and, as applicable, his or her qualified surviving spouse's, leaving the member's contributions in the fund and otherwise satisfying all of the eligibility requirements for any normal, early or survivor's allowance. Likewise, any normal or early retirement allowance or survivor's allowance that is or may become payable to any such member and/or his or her qualified surviving spouse, if any, shall be paid under and in accordance with the member's normal or early retirement, or survivor's, allowance provisions, as applicable.

(e) Normal retirement. There shall be a normal retirement allowance for eligible NBU-GG employees.

(1) Normal retirement eligibility.

- a. Pre-2011 NBU-GG employees shall be eligible for a normal retirement allowance upon completing twenty (20) years of actual service, or upon attaining age sixty (60) and completing at least five (5) years of continuous service.

Alternate normal retirement eligibility. A Pre-2011 NBU-GG employee may elect to retire without reduction of benefits after fifteen (15) years of continuous service provided such employee elects to leave his or her contributions in the fund until the date on which he or she would have first become eligible for a normal retirement allowance, at which time he or she shall receive a retirement allowance calculated on the same basis described below for a normal retirement allowance.

- b. Post-2011 NBU-GG employees and Post-2017 NBU-GG employees shall be eligible for a normal retirement allowance upon attaining age fifty-five (55) and completing twenty (20) years of actual service, or upon attaining age sixty-two (62) and completing at least five (5) years of continuous service.

(2) Normal retirement allowance.

- a. The normal retirement allowance for Pre-2011 NBU-GG employees shall amount to two and one-half (2.5%) percent of final average pay for each whole year of creditable service to a maximum of eighty (80%) percent of final average pay.
- b. The normal retirement allowance for Post-2011 NBU-GG employees shall amount to one and three-quarters (1.75%) percent of final average pay for each whole year of creditable service to a maximum of eighty (80%) percent of final average pay.
- c. Employees who retire on or after June 1, 2014 shall be paid accrued vacation leave and any sick leave remaining after mandatory sick exchange in accordance

with Section 2A-8(a)(3) of the Code, to which the employee may be entitled, as a 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. The effective date of retirement shall be the day immediately following the employee's last day of work. This Paragraph shall apply prospectively and shall not apply to any employee on vacation run-out on the effective date of the ordinance.

(f) *Early retirement.* There shall be an early retirement allowance for eligible NBU-GG employees.

(1) *Early retirement eligibility.* NBU-GG employees shall be eligible for an early retirement allowance upon attaining age fifty-five (55) and completing at least five (5) years of continuous service.

(2) *Early retirement allowance.*

- a. The early retirement allowance for Pre-2011 NBU-GG employees shall be based on the normal retirement allowance formula but reduced by four (4%) percent for each whole year the employee retires short of age sixty (60).
- b. The early retirement allowance for Post-2011 NBU-GG employees shall be based on the normal retirement allowance formula but reduced by four (4%) percent for each whole year the employee retires short of age sixty-two (62).
- c. Employees who retire on or after the June 1, 2014 will be paid accrued vacation leave and any sick leave remaining after mandatory sick exchange in accordance with Section 2A-8(a)(3) of the Code, to which the employee may be entitled, as a 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. The effective date of retirement shall be the day immediately following the employee's last day of work. This Paragraph shall apply prospectively and shall not apply to any employee on vacation run-out on the effective date of the ordinance.

(g) *Disability retirement.* NBU-GG employees shall be entitled to those disability retirement allowances provided in section 2A-11 to the extent eligible thereunder.

(h) *Survivorship.* NBU-GG employees shall be entitled to those survivorship allowances provided in section 2A-12 to the extent eligible thereunder.

(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 Section 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 (1) of the following retirement incentive options:

OPTION 1:

Up to a maximum of three (3) years of City-paid health insurance under one (1) 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. 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 one hundred (100%) percent 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 sixty-five (65) 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 sixty-five (65).

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 four (4) 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 final average pay period, final average pay, and 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 four (4) 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 fifteen (15) years of continuous service will be credited with four (4) years of additional service credit, will be deemed to have nineteen (19) years of actual service and will be

eligible to commence receiving a retirement allowance after the passage of one (1) year; and (B) An employee who has sixteen (16) years of continuous service will be credited with four (4) years of additional service credit, will be deemed to have twenty (20) years of actual service and will be eligible for a Normal Retirement as set forth in Section 2A-25 (e) of the Code.

- (4) An eligible NBU-GG employee, who on or before December 31, 2010 has at least eleven (11) years of continuous service, but less than fifteen (15) years of continuous service, may elect to retire under this VRIP and be credited with up to four (4) 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 eleven (11) years of continuous service will be credited with four (4) years of "incentive service credit" and the employee will be deemed to have fifteen (15) years of continuous service solely for purposes of establishing eligibility for an alternate normal retirement, the employees' retirement benefits will be calculated based on eleven (11) years of service and any sick exchange credit, the employee will be eligible for sick exchange in accordance with Section 2A-8(a)(3), and may commence receiving a retirement allowance after the passage of five (5) years; and (B) An employee with thirteen (13) years of continuous service will be credited with two (2) years of "incentive service credit", the employee will be deemed to have fifteen (15) years of continuous service solely for purposes of establishing eligibility for an alternate normal retirement, the employees' retirement benefits will be calculated based on eleven (11) years of service and any sick exchange credit, the employee will be eligible for sick exchange in accordance with Section 2A-8(a)(3), and may commence receiving a retirement allowance after the passage of five (5) 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 Section 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 Section 2A-25(f)(2) of the Code.

- d. This VRIP shall not apply to any employee whose last day worked was prior to September 24, 2010 and/or is currently on vacation run-out.
- e. An employee will be eligible for the benefits described in [subsection] (3) above only if the employee's fifteen (15) years of service are continuous, as required by Section 2A-5 of the Code. If an employee purchased one (1) or more years of pension service credit for time served in the United States Uniformed Services pursuant to Section 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 Section 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 Section 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 [subsection] (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 thirty (30) 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 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 five (5) 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 seven (7) 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 three (3) calendar days of receiving the Mayor's deferment decision.

1. 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 [subsection] 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 be effective upon passage.

Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



Thomas J. Clarke II, Council President
Julio A. Concepción, Majority Leader
John Q. Gale, Assistant Majority Leader
Wildaliz Bermúdez, Minority Leader

John V. Bazzano, Town and City Clerk

Larry Deutsch, Councilman
Cynthia R. Jennings, Councilwoman
James Sánchez, Councilman
Glendowlyn L. H. Thames, Councilwoman
Jo Winch, Councilwoman

Report

August 14, 2017

Honorable Thomas J. Clarke II, Council President &
Members of the Court of Common Council
City of Hartford
550 Main Street Room 208
Hartford, CT. 06103

Dear Council President Clarke II and Members of the Council:

The Operations, Management, Budget, and Government Accountability Committee held a meeting on July 17, 2017 at 5:30 pm in the Council Chambers to discuss the following referred item as reflected on the committee agenda.

Item #4

Communication from Mayor Bronin, with accompanying resolution authorizing a lease with T-Mobil Northeast LLC. for wireless telecommunication facilities to be installed at 272 Garden Street.

The following were present: Committee Chairwoman Glendowlyn L. H. Thames, committee members President Thomas J. Clarke II, Minority Leader Wildaliz Bermúdez, Councilwoman Cynthia Jennings, non-committee council members, Councilman Larry Deutsch and Councilman John Gale.

Also present were, Adam Cloud, City Treasurer, Carmen Sierra, Assistant City Treasurer, Bonnie Malley, Chief Operating Officer, Darrell Hill, Chief Financial Officer and Director of Finance, Gina Varano, Assistant to Corporation Counsel, Kiley Gosselin, Deputy Director of Development Services, Tone

Program Supervisor, Conor P. Quinn, Director of Constituent Services for Congressman John Larson, Bernadine Silvers, President of CSS/CON, Elliot Ginsberg, President and CEO of CCAT, Alyssa Peterson, Tom Swarr, Donna Swarr, Michael Downs, and other concerned citizens.

Tone Nelson, Program Supervisor for Development Services explained the resolution concerning authorizing a lease with T-Mobile Northeast LLC for wireless telecommunications facilities to be installed on the building at 272 Garden Street currently owned by Chrysalis Center Real Estate Corporation. The City of Hartford currently has a mortgage on the property in connection with a loan to Chrysalis Center Real Estate Corporation under the HOME Investment Partnership Program. The key elements of the lease agreement are as follows:

- The initial lease term is five years which automatically renews for five successive renewal terms of five years unless T-Mobile elects not to renew the lease term.
- After the expiration of all renewal periods, the lease term automatically extends for successive one year periods, unless terminated by the landlord.
- The rent for the initial term is \$2,000 per month
- The rent increases by 110% for each successive renewal term and by 102% for each successive year thereafter.

A discussion ensued amongst the OMBGA committee members and Mr. Nelson regarding environmental and health concerns. Mr. Nelson did provide information from Aaron Parsons, Site Acquisition of North East Site Solutions to address the concerns noting that T-Mobile maintains compliance with Federal Communication Commission (FCC).

A motion was made by Majority Leader Julio Concepción and seconded by Councilwoman Jennings to send this item to full Council with a favorable recommendation.

Vote Taken: (4-0-0-2 Absent- Pass)

Chairwoman Thames: Yes

Minority Leader Bermúdez: Absent

Council President Clarke II: Yes

Majority Leader Julio Concepción: Yes

Councilwoman Jennings: Yes

Councilman Sánchez: Absent

Respectfully Submitted,



Glendowlyn L. H. Thames

Chairwoman of Operations, Management, Budget and Government Accountability Committee



Luke A. Bronin
Mayor

June 26, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Chrysalis/T-Mobile Lease: 272 Garden Street

Dear Council President Clarke:

Attached for your consideration is a resolution authorizing a lease with T-Mobile Northeast LLC for wireless telecommunications facilities to be installed on the building at 272 Garden Street.

Chrysalis Center Real Estate Corporation owns the apartment building located at 272 Garden Street and has negotiated a long-term lease with T-Mobile for the installation and maintenance of wireless telecommunications facilities on the building. The City of Hartford has a mortgage on the property in connection with a loan to Chrysalis Center Real Estate Corporation under the HOME Investment Partnership Program.

In the event that Chrysalis Center Real Estate Corporation defaults on the loan and the City forecloses on its mortgage, the City could take title to the property and, by virtue of that action, the City would become the landlord under the lease with T-Mobile, but only if the lease is approved by the Court of Common Council. Knowing this fact, T-Mobile has asked the City Council to approve the lease now, rather than at some later date when the City might foreclose on its mortgage and take title to the property. The terms of the lease are contained in the attached resolution.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "L. Bronin", is written over a horizontal line.

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, June 26, 2017

WHEREAS, Chrysalis Center Real Estate Corporation ("Chrysalis") is a local developer and the owner of an apartment building located at 272 Garden Street, Hartford, Connecticut; and

WHEREAS, Chrysalis redeveloped the property with financing from a number of sources, including a loan from the City of Hartford on March 27, 2015 in the amount of \$750,000 under the HOME Investment Partnership Program ("Loan"), which Loan is evidenced by a Promissory Note and Construction Mortgage Deed and Security Agreement; and

WHEREAS, Chrysalis has negotiated a long-term lease with T-Mobile for the installation and maintenance of certain wireless telecommunication on the apartment building ("Lease"); and

WHEREAS, in connection with the Lease, Chrysalis requested that the City of Hartford execute a Non-Disturbance Agreement which provides that, in the event Chrysalis Center Real Estate Corporation defaults on the Loan and the City of Hartford forecloses on its mortgage, the City of Hartford will be bound by the terms of the Lease; and

WHEREAS, Chapter IV, Section 2, of the Charter of the City of Hartford provides that the Council shall have the power to approve all leases; and

WHEREAS, T-Mobile has requested that the City Council approve the Lease now rather than at some later date when or if Chrysalis might default on the Loan; and

WHEREAS, the material financial terms of the Lease are set forth below:

1. The initial lease term is five years which automatically renews for five (5) successive renewal terms of five (5) years unless T-Mobile elects not to renew the lease term; and
2. After the expiration of all renewal periods, the lease term automatically extends for successive one year periods, unless terminated by the Landlord; and
3. The rent for the initial term is \$2,000 per month; and
4. The rent increases by 110% for each successive renewal term and by 102% for each successive year thereafter; and now therefore, be it

RESOLVED, that the City Council approves the Lease and that the Mayor is hereby authorized to enter into and execute any documents for the purposes set forth above, upon and subject to the above terms and conditions and such other terms and conditions that the Mayor and the Corporation Counsel may 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 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 effectuate the above transaction; 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 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 documents and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.

ITEM #

ON AGENDA

Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



Thomas J. Clarke II, Council President
Julio A. Concepción, Majority Leader
John Q. Gale, Assistant Majority Leader
Wildaliz Bermúdez, Minority Leader

John V. Bazzano, Town and City Clerk

Larry Deutsch, Councilman
Cynthia R. Jennings, Councilwoman
James Sánchez, Councilman
Glendowlyn L. H. Thames, Councilwoman
Jo Winch, Councilwoman

Report

August 14, 2017

Honorable Thomas J. Clarke II, Council President &
Members of the Court of Common Council
City of Hartford
550 Main Street Room 208
Hartford, CT. 06103

Dear Council President Clarke II and Members of the Council:

The Operations, Management, Budget, and Government Accountability Committee held a meeting on July 17, 2017 at 5:30 pm in the Council Chambers to discuss the following referred item as reflected on the committee agenda.

Item #7

Communication from Councilman Deutsch with accompanying resolution requesting that the contractual terms for engagement of the firm Greenberg Traurig LLP be modified towards achievement of structural balance and sustainability.

The following were present: Committee Chairwoman Glendowlyn L. H. Thames, committee members President Thomas J. Clarke II, Minority Leader Wildaliz Bermúdez, Councilwoman Cynthia Jennings, non-committee council members, Councilman Larry Deutsch and Councilman John Gale.

Also present were, Adam Cloud, City Treasurer, Carmen Sierra, Assistant City Treasurer, Bonnie Malley, Chief Operating Officer, Darrell Hill, Chief Financial Officer and Director of Finance, Gina Varano, Assistant to Corporation Counsel, Kiley Gosselin, Deputy Director of Development Services, Tone

Nelson, Program Supervisor, Conor P. Quinn, Director of Constituent Services for Congressman John Larson, Bernadine Silvers, President of CSS/CON, Elliot Ginsberg, President and CEO of CCAT, constituents Alyssa Peterson, Tom Swarr, Donna Swarr, Michael Downs, and other concerned citizens.

Larry Deutsch, Councilman, explained the resolution requesting that the contractual terms for engagement of the firm Greenberg Traurig LLP be modified towards achievement of structural balance and sustainability with the inclusion of the following recommended amendments:

- Compensation during initial and succeeding months for Greenberg Traurig LLP be \$20,000 and \$35,000 respectively or
- Overall reduction of charges from estimated 15% to estimated 40%
- Bonding agreement for restoration of originally proposed fee schedule through 11-year bonding agreement payable through mutual agreement approved in City Council at 5 1/2 years with Greenberg Traurig LLP upon restructuring achievements
- City achieves a balanced budget with Charter-required minimum pension payments (maintaining at least 85% funding liability)
- Agreements (non under arbitration) with major collective bargaining units
- Terminations of long-term leases for certain major commercial Downtown properties such as Constitution plaza
- Restructuring payment for or final sale of Hartford Stadium Authority (HAS) bonds

A discussion ensued amongst the OMBGA committee members and Councilman Deutsch, pertaining to the hiring of outside counsel, clarity of expectations, workflow, deliverables, projected cost savings to the city.

A motion was made by Councilwoman Jennings and seconded by Minority Leader Bermúdez to send this item to full Council with no recommendation.

Vote Taken: (3-0-0-3 Absent- Pass)

Chairwoman Thames: Yes

Minority Leader Bermúdez: Yes

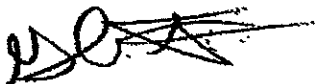
Council President Clarke II: Absent

Majority Leader Julio Concepción: Absent

Councilwoman Jennings: Yes

Councilman Sánchez: Absent

Respectfully Submitted,



Glendowlyn L. H. Thames

Chairwoman of Operations, Management, Budget and Government Accountability Committee

INTRODUCED BY

COURT OF COMMON COUNCIL

Councilperson Larry Deutsch

July 10, 2017

RESOLVED, That contractual terms for engagement of firm of Greenberg Traurig LLP [GT LLP] be modified towards achievement of structural balance and sustainability in accordance with following:

1. Compensation during initial and succeeding months for GT LLP be \$20,000 and \$35,000, respectively OR
2. Overall reduction of charges from estimated 15% to estimated 40%, WITH
3. Bonding agreement [details according to Greenberg Traurig LLP] for restoration of originally-proposed fee schedule through 11-year bonding agreement (payable through mutual agreement approved by City Council at 5 ½ years) with GT LLP upon restructuring achievements as follows:
 - a. City achieves a balanced budget with Charter-required minimum pension payments (maintaining at least 85% funding liability);
 - b. Agreements (none under arbitration) with major collective bargaining units
 - c. terminations of long-term leases for certain major commercial Downtown properties such as Constitution Plaza;
 - d. restructuring of payments for, or final sale of, Hartford Stadium Authority (HSA) bonds

SUBSTITUTE



Luke A. Bronin
Mayor

ITEM # 15 ON AGENDA

September 11, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Brini Settlement

Dear Council President Clarke:

Attached please find a resolution approving settlement of the Irene Brini v. City of Hartford matter for \$390,000.

I would like to request the Council to enter into Executive Session during the Council meeting on Monday, September 11, 2017. A brief session is necessary in order to discuss the potential resolution of this matter. Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "LB", is written over the name and title.

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

SUBSTITUTE

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, September 11, 2017

RESOLVED, That, pursuant to Chapter VIII, Section 3 of the City Charter, the Court of Common Council hereby approves settlement of the Irene Brini v. City of Hartford matter for \$390,000.00.

Introduced by:

Council President Thomas J. Clarke II

HEADING
AND
PURPOSE

AN ORDINANCE ESTABLISHING A NEW SECTION – CHAPTER 31 SECTION 31-22
THROUGH 31-25 - THE OPERATION OR USE OF DIRT BIKES, ALL-TERRAIN
VEHICLES, SNOWMOBILES, MOTOR-DRIVEN CYCLES, OR MINI-CYCLES

COURT OF COMMON COUNCIL
CITY OF HARTFORD
August 14, 2017

31-22 - Definitions.

The following words, terms and phrases, when used in this ordinance, shall have the meanings attributed to them in this section:

1. "Dirt bike" means a two-wheeled motorized recreational vehicle designed to travel over unimproved terrain and not designed for travel on a highway, as defined in Section 14-1 of the Connecticut General Statutes. "Dirt bike" does not include an all-terrain vehicle, as defined in Section 14-379 of the General Statutes, or a motor-driven cycle, as defined in Section 14-1 of the General Statutes.
2. "Snowmobile" means any self-propelled vehicle designed for travel on snow or ice, except vehicles propelled by sail.
3. "All-terrain vehicle" means a self-propelled vehicle designed to travel over unimproved terrain that has been determined by the commissioner of motor vehicles to be unsuitable for operation on the public highways and is not eligible for registration under Chapter 246 of the Connecticut General Statutes.
4. "Operate" means (1) to control the course of or otherwise use a dirt bike, snowmobile, all-terrain vehicle, motor-driven cycle, mini-cycle, or similar vehicle; or (2) being in possession of a dirt bike, snowmobile, all-terrain vehicle, motor-driven vehicle, mini-cycle or similar vehicle on any street or sidewalk in the city of Hartford or on any public property, including but not limited to school property, playgrounds and parks, within the city of Hartford, or on any private property, within the city of Hartford, without first obtaining the written permission of the property owner if the property is not owned by the operator, passenger, and/or owner of the motorized recreational vehicle, if such dirt bike,

snowmobile, all-terrain vehicle, motor-driven vehicle, mini-cycle or similar vehicle is capable of being set in motion by the motive power of the vehicle.

5. "Motor-driven cycle" means any motorcycle, motor scooter, or bicycle with an attached motor, with a seat height of not less than twenty-six (26) inches, and a motor having a capacity of less than fifty (50) cubic centimeters of piston displacement.

6. "Mini cycle" means pocket bikes, miniature (hereafter "mini") bikes, mini cycles, mini sport bikes, mini motorcycles, chopper scooters, and any other similar wheeled vehicle designed to transport one or more persons that is powered by any type of motor.

7. The terms "dirt bike," "snowmobile," "all-terrain vehicle," "motor-driven cycle," and "mini-cycle" shall not be deemed to include any of the following:

a. Any registered "motorcycle" as defined in the C.G.S. § 14-1(46); any registered "motor vehicle" as defined in C.G.S. § 14-1(47);

b. Any moped that meets Federal Department of Transportation guidelines for use on streets and is approved by the state of Connecticut Department of Motor Vehicles for use on streets, provided, however, the moped is operated pursuant to all applicable state laws, rules, and regulations and all other city of Hartford ordinances;

c. Any wheelchair or similar mobility assisting device utilized by a person with a physical disability or whose ambulatory mobility has been impaired due to age or physical ailment;

d. Any self-propelled snow plow, snow blower or lawn mower when used for the purpose for which it was designed and operated at a speed not to exceed four miles per hour;

e. Any vehicle owned or leased by the city of Hartford;

f. Any vehicle that is used solely for amusement, or as a novelty display item, and is operated during a parade or any other special event that is properly permitted and approved by the city of Hartford shall be excluded from this article; and

g. Any electric personal assistive mobility device (hereinafter "EPAMD") that is self-balancing, has two non-tandem wheeled devices, is designed to transport only one person, and has an electric propulsion system that limits the maximum speed of the device to twelve and one-half (12½) miles per hour or less.

For the purposes of Sections 31-23 and 31-24 of this ordinance, the terms "dirt bike," "snowmobile," "all-terrain vehicle," "motor-driven cycle," and "mini cycle" as defined in this

section, shall be collectively referred to as "motorized recreational vehicle(s)."

31-23 - Operations prohibited.

A. It shall be unlawful for any person to operate a motorized recreational vehicle and/or for any owner of a motorized recreational vehicle to knowingly permit the operation of his or her motorized recreational vehicle on any street or sidewalk in the city of Hartford or on any public property, including but not limited to school property, playgrounds and parks, within the city of Hartford.

B. It shall be unlawful for any person to ride as a passenger on a motorized recreational vehicle and/or for any owner of a motorized recreational vehicle to knowingly permit any person to ride as a passenger on his/her motorized recreational vehicle operated in violation of subsection A. above.

C. It shall be unlawful for any person to operate a motorized recreational vehicle, ride as a passenger on a motorized recreational vehicle, and/or for any owner of a motorized recreational vehicle to knowingly permit its operation on any private property, within the city of Hartford, without first obtaining the written permission of the property owner if the property is not owned by the operator, passenger, and/or owner of the motorized recreational vehicle.

1. It shall be unlawful to operate a motorized recreational vehicle, to ride as a passenger on a motorized recreational vehicle, and/or for any owner of a motorized recreational vehicle to knowingly permit its operation on private property before eight a.m. or after seven p.m. on weekdays, or before nine a.m. or after eight p.m. on weekends.

D. It shall be unlawful for any person to operate an EPAMD and/or for any owner of an EPAMD to knowingly permit the operation of his/her EPAMD on any street in the city of Hartford, provided, however, an EPAMD may be operated on any public sidewalk and/or crosswalk in the city of Hartford. An operator of an EPAMD shall yield to pedestrians and any wheelchair or similar mobility-assisting device as defined within this ordinance and shall comply with any applicable state of Connecticut laws or regulations.

31-24 - Penalties.

A. Any person who operates a motorized recreational vehicle in violation of Section 31-23A of this ordinance, or is the owner of a motorized recreational vehicle who knowingly permits its

operation in violation of Section 31-23A of this ordinance, may be fined a sum not to exceed one thousand dollars (\$1,000.00), but not less than five hundred dollars (\$500.00) for a first offense, may be fined a sum not to exceed one thousand five hundred dollars (\$1,500.00), but not less than one thousand dollars (\$1,000.00) for a second offense, or may be fined a sum not to exceed two thousand dollars (\$2,000.00), but not less than one thousand dollars (\$1,000.00) for any third or subsequent offense.

B. Any person who rides as a passenger on a motorized recreational vehicle in violation of Section 31-23. of this ordinance, or is the owner of a motorized recreational vehicle who knowingly permits a passenger to ride on his/her recreational motor vehicle in violation of Section 31-23B. of this ordinance, may be fined a sum not to exceed one thousand dollars (\$1,000.00), but not less than five hundred dollars (\$500.00) for a first offense, may be fined a sum not to exceed one thousand five hundred dollars (\$1,500.00), but not less than one thousand dollars (\$1,000.00) for a second offense, or may be fined a sum not to exceed two thousand dollars (\$2,000.00), but not less than one thousand dollars (\$1,000.00) for any third or subsequent offense.

C. Any person who operates a motorized recreational vehicle in violation of Section 31-23C. of this ordinance, rides as a passenger on a recreational motor vehicle in violation of Section 31-23C. of this ordinance, or is the owner of a motorized recreational vehicle who knowingly permits its operation in violation of Section 31-23C. of this ordinance may be fined a sum not to exceed one thousand dollars (\$1,000.00), but not less than five hundred dollars (\$500.00) for a first offense, may be fined a sum not to exceed one thousand five hundred dollars (\$1,500.00), but not less than one thousand dollars (\$1,000.00) for a second offense, or may be fined a sum not to exceed two thousand dollars (\$2,000.00), but not less than one thousand dollars (\$1,000.00) for any third or subsequent offense.

D. Any person who operates a motorized recreational vehicle in violation of Section 31-23C.1. of this ordinance, rides as a passenger on a recreational motor vehicle in violation of Section 31-23C.1. of this ordinance, or is the owner of a recreational motorized vehicle who knowingly permits its operation in violation of Section 31-23C.1. of this ordinance may be fined a sum not to exceed one thousand dollars (\$1,000.00), but not less than five hundred dollars (\$500.00) for a first offense, may be fined a sum not to exceed one thousand five hundred dollars (\$1,500.00), but not less than one thousand dollars (\$1,000.00) for a second offense, or may be fined a sum not to exceed two thousand dollars (\$2,000.00), but not less than one thousand dollars (\$1,000.00) for any third or subsequent offense.

E. Any person who operates an EPAMD in violation of Section 31-23D. of this ordinance, or is the owner of an EPAMD who knowingly permits its operation in violation of Section 31-23D. of this ordinance, may be fined a sum not to exceed one-hundred dollars (\$100.00), but not less than fifty dollars (\$50.00) for a first offense, may be fined a sum not to exceed two hundred dollars (\$200.00), but not less than one hundred dollars (\$100.00) for a second offense, or may be fined a sum not to exceed three hundred dollars (\$300.00), but not less than two hundred dollars (\$200.00) for any third or subsequent offense.

F. A police officer who observes any person in violation of any subsection of Section 31-23 of this ordinance may detain such person for purposes of enforcing the provisions of this ordinance and may remove or tow the motorized recreational vehicle in question into the custody of the Hartford police department, at the owner's expense, pending a disposition of such property by court order or otherwise by law and proof of ownership of such property (i.e., bill of sale). Such police officer shall obtain and record the name and address of the owner of the such vehicle at the time of removal. Before the owner or person in charge of any impounded motorized recreational vehicle shall be permitted to remove the vehicle from a vehicle pound, the owner shall furnish to the operator of such pound, or such other person as the chief of police shall designate, evidence of his or her registration and ownership, shall sign a receipt for such vehicle, and shall pay the cost of impoundment and administration, plus the cost of storage for each day or portion of a day that such vehicle is stored in the vehicle pound in excess of the first twenty-four (24) hours. The operator of such pound shall refuse the release of any motorized recreational vehicle lawfully seized that the chief of police has authorized to hold as evidence in a criminal investigation or civil or criminal proceeding. Such operator shall obtain written permission from the chief of police for release of the vehicle on any form or document prescribed by the chief of police prior to the release of such impounded motorized recreational vehicle.

Any such motorized recreational vehicle that is not claimed by its owner under the terms of this section for a period of 45 days after seizure, or in the case of a motorized recreational vehicle being held as evidence in a criminal investigation or civil or criminal proceeding, not claimed by its owner within 45 days of the cessation of such investigation or disposition of such proceeding, whichever is later, may be disposed of by direction of the chief of police after serving notice in the same matter as that required for the disposal of abandoned vehicles under C.G.S. §14-150(e), except in the case that a vehicle is not registered, such notice shall not require mailing to persons whose names are registered with the State Department of Motor

Vehicles.

31-25 - Posting by motorized recreational vehicle dealer.

Each motorized recreational vehicle dealer offering for sale, lease or rental any motorized recreational vehicle shall post this ordinance in a prominent location at said dealer's place of business.

Any motorized recreational vehicle dealer who violates any provision of this section shall have committed an infraction. For a first violation, the chief of police or his authorized agent shall issue a written warning providing notice of the specific violation and the time period within which it shall be corrected. If the motorized recreational vehicle dealer receiving the written warning fails to correct the violation within the time period specified in the warning, the chief of police or his authorized agent shall issue a fine of ninety-nine dollars (\$99.00). Any continuing violation that is discovered during any subsequent re-inspection shall result in a fine of ninety-nine dollars (\$99.00). Each re-inspection at which a violation is discovered shall constitute a separate violation.



Luke A. Bronin
Mayor

ITEM # 17 ON AGENDA

September 11, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Solid Waste Management

Dear Council President Clarke:

Attached for your consideration is an ordinance repealing and replacing Article I, of Chapter 15, of the Hartford Municipal Code, which regulates the handling of solid waste.

There are three primary purposes for the repeal and replacement of Article 1. First, the Administration proposes to overhaul its bulky waste management system and program and, as part of that overhaul, to implement an appointment-based system for residential bulky waste collection. The City will collect up to five bulky waste items at no charge twice per year. Residents must schedule an appointment for those pick-ups. Additional pick-ups of bulky waste may be scheduled at a fee to be determined by the Department of Public Works. This system is similar to those utilized by a number of other Connecticut cities and towns and is expected to bring greater order to Hartford's bulky waste collection system and to enhance the efficiency of the City's sanitation staff.

Second, the changes to our solid waste disposal system will provide the City with greater enforcement powers. When violations of the ordinance occur, a violation notice will be sent requiring the responsible party to correct the situation by a date certain. Failure to do so will result in a citation being issued and the imposition of fines for each offense. Fines range from \$50 for a first offense in failing to separate garbage and recyclables, to \$99 per day for a variety of offenses, to \$250 per day for unauthorized dumping.

Third, the text of Article I has been edited and reorganized to eliminate outdated sections and language, to modify definitions to more modern and standardized forms, and to arrange the sections of the ordinance in a more logical and user-friendly manner.

Staff of the Department of Public Works, Department of Development Services, and the Office of the Corporation Counsel have worked together, over the past several months, to develop this ordinance and look forward to discussing the changes with you and answering any questions you may have.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "L. Bronin", is written over a horizontal line.

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

Introduced by:

Mayor Luke A. Bronin

HEADING
AND
PURPOSE

AN ORDINANCE REPEALING AND REPLACING ARTICLE I OF CHAPTER 15 OF THE MUNICIPAL CODE OF HARTFORD

COURT OF COMMON COUNCIL
CITY OF HARTFORD
September 11, 2017

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

That Chapter 15, Garbage, Refuse and Weeds, Article I, General, of the Municipal Code is hereby repealed and replaced by a new Chapter 15, Article I as shown below.

Chapter 15 – SOLID WASTE AND WEEDS

ARTICLE I. - IN GENERAL

Sec. 15-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bulky Waste means large or unwieldy portions of the solid waste stream generated by households or commercial establishments, including appliances, tree limbs, tires, furniture, demolition debris and other items too large to fit in standard collection containers, and those that require special collection or disposal treatment, but shall in no case include any hazardous or toxic waste as defined in Connecticut General Statutes §22a-115.

Bulky Waste and Recycling Center or "recycling center" means the state-permitted Hartford solid waste facility located at 180 Leibert Road, Hartford, Connecticut.

Commercial establishments means any business commercial, industrial, and office operations, as well as institutions, transient housing units and the buildings in which they are located.

Director of the Department of Public Works, "Public Works Director", or "Director" means the Director of the City of Hartford Public Works Department or his/her designee.

Garbage means all solid waste composed of putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, serving and consumption of foods.

Mixed use means any combination of commercial and residential units.

Multi-unit residence means buildings which contain seven (7) or more residential housing units.

Person in control means the owner, lessee, manager, person in control or agent of any premises.

Premises means property which is owned, occupied or controlled by any person, business establishment or any other entity.

Recyclables means solid waste which may be reclaimed and which is considered saleable and/or reusable by the city and/or any private entity. These items include all corrugated cardboard, glass food and beverage containers; metal food and beverage containers; leaves; newspapers; storage batteries; office paper (high-grade white and manila); and waste motor oil. These items are required to be recycled in accordance with the department of public works rules and regulations. Any amendment to the list of items which are required to be recycled will be announced by the department of public works within one hundred eighty (180) days, but not less than ninety (90) days, of the effective date of the amendment.

Refuse means garbage plus rubbish.

Regulated waste means any solid waste which is regulated by the state or the U.S. Environmental Protection Agency, including "special," "regulated" and "hazardous" wastes, as those terms may be defined in the federal, state and city regulations.

Residence means buildings that contain six (6) or fewer residential housing units.

Rubbish means waste materials that ordinarily accumulate in and around a home or business, that are not restricted from acceptance at a waste-to-energy facility by contract with such facility, nor by federal, state, or local laws, rules, or regulations.

Solid waste means unwanted, discarded, or abandoned materials, including solid, liquid, semi-solid or contained gaseous material. This is an all-encompassing term, including but not limited to bulky waste, recyclables, refuse, regulated waste, rendering (fats, oils, and grease), yard debris, organic matter and other separately identified waste streams. It includes material left for recycling collection, or regulated by the state or the U.S. Environmental Protection Agency, as well as material that is accumulated or stored before being discarded, recycled or treated.

Solid waste collector means any person, firm, or corporation engaged for hire in the business of collecting, or transporting, solid waste from commercial establishments, household or residential sources, or municipal or public sources within the city. When the term "refuse collector" is used on older documents or permits, it shall have the same meaning as "solid waste collector".

Street litter container means any receptacle maintained by the city for the purpose of providing pedestrians with a depository for litter.

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 15-2. - Enforcement.

(a) Generally. This chapter shall be enforced by the director of public works or the director of health or both, who may call upon the chief of police and the chief of the fire department for assistance in obtaining compliance with any orders issued by either of them. The director of health may designate the director of licenses and inspections to enforce this chapter in his or her name. The Director of Public Works or the Director of Health, or both, may refer violations

under this chapter to the Division of Blight Remediation for enforcement under Chapter 9, Article V, of the Hartford Municipal Code.

(b) *Recycling agents.*

(1) The director of public works shall provide the commissioner of the department of energy and environmental protection with the name, address and telephone number of a person to receive information and to respond to questions regarding recycling from the department of environmental protection on behalf of the city.

(2) The director of public works shall designate an agent to receive from collectors of solid waste including recyclables and from operators of resource recovery facilities and solid waste facilities the notices required to be sent to the city pursuant to subsection (c) of this section and the general statutes. The person designated as the city's agent by the director of public works may also serve as an agent for other municipalities.

(c) *Notification when recyclables not separated.* Any collector who has reason to believe that a residence, multi-unit residence, mixed-use property or commercial establishment from which it collects solid waste has failed to separate recyclables from other solid wastes shall notify the designated municipal agent. In accordance with the department of public works rules and regulations, each collector shall provide a warning notice, by tag or other means, to any person suspected by the collector or city of violating separation requirements. Each collector shall also notify the city of the identity of any owner responsible for loads generated on the premises containing significant quantities of recyclable items mixed with solid waste. The city must receive notice on a monthly basis for all buildings that are in violation of this section.

Cross reference— Administration generally, Ch. 2.

Sec. 15-3. - Disposal and accumulations on premises or public walk.

(a) It shall be unlawful for any person to throw, drop or place any solid waste or litter on any premises in the city whether public or private except in receptacles provided for that purpose. No person in control shall allow such waste material or recyclables to accumulate on his/her premises or in the area abutting his/her premises or in the area abutting his/her premises up to the curbline other than in such receptacles. Such person in control shall keep the public walk abutting on his/her premises clean at all times.

(b) In addition to the requirements of subsection (a), each person in control of premises in the city, occupied wholly or in part by a business establishment, shall cause the public walk abutting on the premises to be swept at the opening and close of each business day and shall cause the sweepings to be picked up. No such sweepings shall be swept onto the street, roadway or gutter, nor shall non-litter material, such as sand be placed in any street litter container

Sec. 15-4. - Household waste prohibited in street litter containers.

It shall be unlawful for any person to deposit any household or commercial solid waste in any street litter container.

Sec. 15-5. - Dumping in city or watercourses.

Except as provided in this chapter, it shall be unlawful for any person, either as principal or agent, to dump any solid waste in any vacant lot, the closed city landfill, public parks or in any other place in the city, for the purpose of filling, or otherwise, or into or upon the banks or margin of any watercourse within the boundaries of the city. The penalty after reinspection for continued violation of such provision shall be a fine of two hundred fifty dollars (\$250.00). Each day any such violation shall continue, it shall constitute a separate offense. Any commercial establishment found to be in violation of this section shall have any permits, licenses and/or contracts entered into with the City of Hartford suspended or revoked until the fine has been paid.

Sec. 15-6. - Garbage disposal and trash compactor units authorized.

Nothing in this chapter shall be construed as forbidding the operation on private premises of any private trash compactor, or any device for grinding garbage and flushing it into the public sanitary sewer system, provided such devices were designed for such purposes and are in compliance with the rules and regulations of the department of health and do not create a nuisance or fire hazard. Residential household compacted refuse and commercial compacted refuse must be free of recyclable material and may be inspected for such by the director of public works.

Sec. 15-7. - Regulations, Contracts and Collections Authorized.

- (a) The director of public works shall have the authority to, and shall establish rules and regulations covering the storage, collection, conveyance and disposal of solid waste within the City. The director of public works is also authorized to amend rules and regulations concerning the storage, collection, conveyance and disposal of solid waste, including but not limited to regulations concerning scheduling, prohibiting or limiting material types, limiting material quantities and setting fees for collection of materials by the City in order to provide cost-effective service while promoting public health, safety and environmental protection.
- (b) The director of public works, in conjunction with the director of health, may, subject to the authority of procurement, arrange for contracts, or otherwise provide for the removal and disposition of solid waste, and require bonds in such form and for such amounts as they may jointly approve for the performance of the provisions of such contracts. All such contracts shall be signed by the mayor. Such contracts when made shall be carried out under the supervision and control of the department of public works, but cognizance shall always be taken of any complaint or request of the department of health. Subject to the terms of each contract, such contracts may be canceled or revoked by the director of public works and the director of health whenever the contractor refuses or neglects to perform any of the terms thereof.
- (c) The department of public works shall collect and remove, or cause to be removed under its direction, such solid waste from all residences as provided for in this chapter and such limited quantities of solid waste from multi-unit residences, mixed use properties, and commercial establishments, as provided for in the rules and regulations of such department. Nothing in this section shall establish a right of any multi-unit residence, mixed-use property with seven or more residential units, or any commercial establishment,

to receive such service by or through the city, nor shall anything in this section forbid the city from offering such service, including for a fee, from such premises.

Sec. 15-8. - Separation and recycling required.

Each occupant of a residence, multi-unit residence, or mixed use property, and each person in control of a multi-unit residence, mixed use property, or commercial establishment shall be responsible for separating recyclables from the other solid waste generated on the premises. All individuals, commercial establishments, entities, and properties shall participate in the recycling program in accordance with department of public works rules and regulations.

Section 15-9. - Person in control to arrange for collection.

Each person in control of any multi-unit residence, mixed use property, or commercial establishment shall arrange for private collection of solid waste. Separate collections shall be provided for refuse, for recyclables, and for bulky wastes. All collections shall be provided at an appropriate frequency that precludes containers from overflowing with any category of solid waste. It shall be the responsibility of said persons in control to ensure that no loose refuse or recyclables are placed outside of containers because the container(s) are full and have inadequate capacity, and that bulky wastes are either containerized, or otherwise protected from the elements in a fashion that protects public health, safety, the environment, and maintains the marketability of any recyclable item.

Section 15-10. - Specifications for solid waste containers, and use thereof.

All containers intended to contain any category of solid waste located outside of a building shall conform to the specifications in this section. Unless otherwise specified, all specifications described herein refer to containers for refuse, for recyclables, for bulky wastes, or for rendering, provided by any person for residents and for any occupant of any multi-unit residence, mixed use property, or commercial establishment, regardless of who provided said container. Additional details and exceptions may be provided for in the rules and regulations of the department of public works.

- (a) All solid waste containers shall provide for the containment of solid waste in a fashion that protects and promotes public health, safety, and environmental protection. All such containers shall be of durable initial construction such that access by rodents is precluded, and shall have an attached lid that can be fully closed when any material is placed therein.
- (b) All solid waste containers shall be maintained to continue to provide for the containment of solid waste in a fashion that protects and promotes public health, safety, and environmental protection. All such containers shall not be allowed to deteriorate to the point that holes occur in the body of the container that will allow access by rodents and shall continue to have an attached lid that can be fully closed when any material is placed therein.
 - 1) Public works rules and regulations shall specify policies for repair and replacement of containers provided by public works, when such containers become damaged.

- 2) Deteriorated containers and containers without lids will be considered a violation and subject to citation in accordance with Code section 15-21.
- (c) All solid waste containers shall be used to provide for the containment of solid waste in a fashion that protects and promotes public health, safety, and environmental protection. All solid waste shall be placed within the appropriate container and lids on all such containers shall be fully closed when any material is placed therein, to prevent access by rodents.
- 1) Loose solid waste placed outside containers shall be considered a violation for which a property owner is subject to citation in accordance with Code section 15-21.
 - 2) Containers, such as larger commercial Dumpsters that have a side access panel, shall be maintained in the closed position any time solid waste is placed within the container.
- (d) Notwithstanding the provisions of this section and that of 15-12, the department of public works is expressly authorized to establish rules and regulations to design programs to address bulky waste and overflow refuse. Such programs shall continue to promote public health, safety, and environmental protection, but may allow for the use of bags, tying, or other mechanisms not otherwise allowable under this section, for containing solid waste that does not fit in containers for reasons of quantity, size, or shape, and for materials requiring special handling.

Sec. 15-11. - Containers to be furnished by public works department.

- (a) The public works department shall provide refuse containers to each property owner of a building designated as residential use with one (1) to six (6) units at a cost equal to thirty-five dollars (\$35.00) and pursuant to the rules and regulations of the department of public works. The refuse containers will be sufficient in size for holding all normal quantities of refuse accumulated between regular collection days, provided that recyclables have been appropriately separated and placed in the provided containers. Homeowners shall contact the department of public works when an initial issue, repair, or replacement of a refuse container is required.
- (b) The public works department shall provide recycling containers to each property owner of a building designated as residential use with one (1) to six (6) units pursuant to the rules and regulations of the department of public work. The recycling containers will be sufficient in size and quantity for holding all designated recyclables accumulated between regular collection days. Homeowners shall contact the department of public works when an initial issue, repair, or replacement of a recycling container is required.

Sec. 15-12. - Containers to be furnished by person in control.

- (a) It shall be the duty of each person in control of all multi-unit residences and commercial establishments to provide for and maintain approved containers sufficient in number and size for holding refuse accumulated between regular collections.

- (b) It shall also be the duty of each, person in control of a multi-unit residences and commercial establishment to provide separate approved containers sufficient in number and size for holding all recyclables accumulated between regular collections.

Sec. 15-13. – Time and location for set out of solid waste.

- (a) All solid waste shall be set out in some accessible part of the premises for removal. The department of public works may designate the location of such placement.
- (b) A recycle drop-off area may be established to enable small businesses to jointly sponsor storage containers for their recyclables.
- (c) No containers nor bulky wastes shall be placed at curbside prior to 4:00 p.m. on the day before regular collections, whether for collection by the department of public works or a private solid waste hauler.

Sec. 15-14. - Special preparation of certain wastes.

The following materials shall require special preparation:

- (1) Garbage. All garbage shall be drained and securely contained to minimize access by vectors.
- (2) Food and beverage containers. Plastic, metal and glass food and beverage containers shall be drained of excess liquids, cleaned of garbage, and rinsed before being placed in recycling containers.
- (3) Ashes. All ashes shall be cool and kept dry and stored in a separate, approved container.
- (4) Compost piles. All compost piles shall be maintained in such a manner as to not constitute a threat to public health or safety.

Sec. 15-15. – Regulated, hazardous waste.

- (a) No regulated, including hazardous, waste will be collected by the department of public works but shall be transported by the owner, responsible person or agent to the municipal disposal area and disposed of as prescribed by the director of public works and the rules and regulations of the state resource recovery authority and the state department of energy and environmental protection.
- (b) Radioactive materials, drugs, poisons and like substances shall be disposed of under the supervision of the director of health and the rules and regulations of the state resource recovery authority and the state department of energy and environmental protection.

Sec. 15-16. - Bulky waste.

- (a) The city shall collect up to five bulky waste items up to two times each calendar year at no charge from each occupied unit in a residence. Any additional pick-ups of bulky waste are

subject to bulky waste fees as recommended by the department of public works and approved by City Council.

- (b) City collections described in 15-16(a) shall be on an appointment basis only. Bulky waste set out for collection without an approved appointment, in excess of the approved quantities, for materials that were not authorized for appointment, by units not eligible for collection, or set out in a manner other than that designated by this chapter or by regulations of the Director shall be a violation subject to the penalties set forth in section 15-21 of this chapter.

Sec. 15-17. - Licenses for landfills and dumping grounds.

The department of licenses and inspections shall, with the approval of the director of health and at his discretion, issue and revoke licenses authorizing the dumping of solid waste, ashes, and waste material, except garbage, and other offensive material on premises in the city, subject to the rules and regulations of the department of health as to the time and conditions of use, the materials that may be deposited in a particular location, and the placing and maintaining of signs indicating permitted uses.

Sec. 15-18. - Maintenance of landfill or dumps.

It shall be the duty of the owner of any dumping ground to keep the grounds in an orderly condition, and when ordered by the director of health, to erect and maintain suitable fences to prevent the use of such place by unauthorized persons, or at times other than those specified in his license.

Sec. 15-19. - Allowing use of premises as dump.

Except as provided in section 15-18, no owner or occupant in control of any premises in the city shall allow the premises to be used as a place for dumping or depositing solid waste, recyclables, garbage, rubbish, ashes, waste material or any offensive matter.

Sec. 15-20. - Salvage operations by private operators prohibited.

No salvage operations by private operators will be permitted from solid waste, including recyclables, placed at the curb for collection by the department of public works unless such salvage operation is authorized by the director of public works.

Sec. 15-21. - Violations and penalties; hearing.

- (a) If the director of public works or the director of health, upon inspection of any building, structure or premises observes a violation of this Chapter, the director may:
- (1) Refer the violation to the Division of Blight Remediation for enforcement under Chapter 9, Article V, of the Hartford Municipal Code; or
 - (2) Issue a violation notice ordering the person in control or occupant or person causing or responsible for such violation to correct the violation within a specified

reasonable period of time. The notice requirements of this section shall be satisfied upon the notice being left at said premises.

- (3) If the violation is not remedied by the specified time period
 - i. the property owner shall be issued a citation, and
 - ii. the property owner shall be subject to additional charges, if the City has to pick up and dispose of any solid waste.
- (b) A person or entity who is issued a citation shall be subject to a fine of ninety-nine dollars (\$99.00), except where a specific penalty is otherwise provided. Each day such violation shall continue shall constitute a separate offense.
- (c) Any person or entity issued a citation for violating the provisions of this chapter may within ten (10) days of receipt of the citation, appeal in writing to a citation hearing officer in accordance with section 1-5.
- (d) In addition to the above penalty, the sections of this chapter which concern recycling shall also be subject to the following additional fines:
 - (1) Residences and multi-unit residences that do not have their recyclables separated from their other solid waste will be subject to a penalty not in excess of fifty dollars (\$50.00) for the first offense, and ninety-nine dollars (\$99.00) for each offense thereafter during a one-year period.
 - (2) Commercial establishments that do not separate their recyclables from their other solid waste in accordance with state statute will be subject to a penalty of one hundred dollars (\$100.00) for the first offense, two hundred dollars (\$200.00) for the second offense, and five hundred dollars (\$500.00) for each offense thereafter occurring during a one-year period.
 - (3) Solid waste collectors who dump more than one (1) cubic foot in volume of solid waste at one (1) time in an area not designated for such disposal or who knowingly mix other solid waste with items required to be recycled will be subject to a penalty of ninety-nine dollars (\$99.00). Each dumping or mixing shall constitute a separate violation
 - (4) The city reserves the right to refuse to collect any resident's solid waste, including but not limited to recyclables, garbage, and commercial and industrial waste, where the spirit or letter of this chapter or the regulations enacted hereunder are ignored.
 - (5) The director of public works shall have the authority to refer all violators of this chapter to the city's hearing officer.

Sec. 15-22. - Additional Code sections.

Tenants, occupants, owners, or other persons in control of any premises should refer to Chapter 31, Article V of this Code for additional duties regarding removal of snow and ice and Chapter 31, Article I of this code for additional information regarding removal of unlawful obstruction

Sec. 15-23. - Permitting of solid waste collector; registration of vehicles and permanent containers.

- (a) Permit registration authority designated. The director of public works or the director's designee shall be the permit registration authority for solid waste collectors, vehicles, and permanent containers. The director or the director's designee shall grant a permit within a reasonable time following the filing of a proper permit application and payment of the prescribed fee unless the director of public works or the director's designee finds one (1) or more of the following conditions to prevail:
 - (1) The applicant has had a previous suspension or revocation of permits.
 - (2) The applicant lacks suitable and safe equipment with which to collect solid waste in a safe and nuisance-free manner and in compliance with this article.
- (c) Certificate of insurance. No such permit shall be issued until the solid waste collector files with the city a certificate of liability insurance demonstrating coverage in the amount of one million dollars (\$1,000,000.00) for property damage, one hundred thousand dollars (\$100,000.00) per person and three hundred thousand dollars (\$300,000.00) per occurrence for liability claims, together with such workers' compensation insurance as provided by state law
- (d) Permit of vehicle and containers. Each solid waste collector shall obtain a separate permit for each vehicle he/she operates to transport refuse within the city. Permits shall also be required for all permanent containers used by solid waste collectors in a capacity greater than ten (10) cubic yards. Permits shall not be transferable from vehicle to vehicle or from permanent container to permanent container; provided, however, the director of public works or the director's designee may allow temporary transfer of permits in hardship situations, including but not limited to temporary breakdowns of individually licensed vehicles.
- (e) Permit registration term, fee, and renewals. All permit registrations shall be issued for a term not to exceed one (1) year and shall be renewable on or before the first day of July of each year. Fees shall not be prorated.
- (f) Applicability/form of registration. All persons intending to act as solid waste collectors shall apply for registration before the first day of July of each year with the director of public works or the director's designee on registration applications provided. These forms shall require the applicant to furnish all information requested, including, but not limited to:
 - (1) The name of the business and whether a corporation, partnership or sole proprietorship.

- (2) The names of all stockholders (if corporation not publicly held), directors, partners, officers or proprietors of the business.
- (3) A listing and description of the vehicles to be used for hauling all types of waste with VIN numbers.
- (4) The names and addresses of all customers presently served, if any, within the city.
- (5) Estimated tonnage of solid waste expected to be collected each week.
- (6) The names of all other communities served by the applicant.
- (7) Evidence of insurance in amounts specified under subsection 15-23(c).
- (8) Assurance that applicants will abide by Connecticut General Statutes recycling mandates.
- (g) A permitted solid waste collector shall update the information required by subsection 15-23 (f)(1) - (8) at least once each year at the time of permit registration renewal.
 - (a) Once approved, the permit registration shall be effective until the following June 30 and unless properly renewed shall lapse.
 - (b) The initial permit registration fee program will apply to FY 08-09, retroactive to July 1, 2008 in accordance with established fee schedule, and shall not be prorated.
 - (c) The permit registration is not transferable and no licensee shall permit another person other than the licensee's own agents and employees, to operate under said license.
 - (d) Each body of each vehicle used to transport solid waste, whether or not the body is permanently affixed to the vehicle or removable, shall have a legibly painted or otherwise displayed sign on at least one (1) side, so as to be easily read proclaiming the cubic yard capacity of the body. Each removable body that may be used by the permit shall also have so painted or displayed an identifying number which is to be listed with the city in the same manner as vehicles. No vehicle will be allowed to dispose of solid waste if it does not comply with this section. Any private vehicle used to haul solid waste shall be clearly marked with the business name and address of the solid waste collector.
 - (e) Re-inspection upon sale or transfer of vehicle during permit registration year. Whenever a duly registered vehicle is sold or transferred from one (1) permitted solid waste collector to another during the permit registration year, the purchaser of such vehicle must provide certification of vehicle inspection by a reputable automotive business with seven (7) days of such transfer date. No additional fee shall be required for the remainder of a permit year following such a transfer.

- (f) Display of permit registration. The permit registration issued shall be conspicuously displayed on the left windshield of each vehicle and on each container, or as otherwise may be directed.
- (g) Notification required upon sale, transfer of route. When any permitted solid waste collector shall sell or transfer all or part of its route to another permitted solid waste collector the selling solid waste collector shall forthwith give written notice to the director of public works or the director's designee at least seven (7) days before the date of the sale or transfer, stating the name of the buyer or transferee and the intended date of sale.
- (h) Permits are not transferable to nonpermitted solid waste collectors. When any permitted solid waste collector shall sell or transfer all or part of its route to a solid waste collector not permitted in the city the selling solid waste collector shall first notify the director of public works or the director's designee, in writing, of the selling solid waste collector's intent to sell, and the proposed transferee shall, at the same time, make application for a permit to operate in the city.

Sec. 15-24. - Registration fees for solid waste collector vehicles and permanent containers.

- (a) The schedule of fees. The fees below are to be reviewed annually and updated periodically to reflect market conditions. Fees shall not be prorated.
 - (1) Gross vehicle weight twelve thousand one (12,001) pounds and above: \$250.00 per unit
 - (2) Gross vehicle weight below twelve thousand (12,000) pounds: \$125.00 per unit
 - (3) Permanent containers ten (10) cuic yards and above: \$30.00 per unit
- (b) Discount. Any vehicle or roll-off container garaged in the city paying property tax will benefit from a ten (10) percent discount in fees per unit provided the permit application is accompanied by a copy of proof of paid property taxes

Sec. 15-25. - Denial, revocation or suspension of permit.

- (a) Generally. A permit to engage in solid waste collection in the city and to use solid waste facilities provided by the city is a privilege not a right. Failure to comply with the provisions of this article shall be grounds for revocation or suspension of any permit issued under the provisions of this article in addition to any other penalty imposed by law.
- (b) Notice. Written notice of revocation or suspension shall be sent by certified mail and shall become effective five (5) calendar days after receipt of such notice (as evidenced by the date of acceptance, refusal or inability to deliver noted on the return receipt) from the department of public works authorized permit registration designee.
- (c) Filing request for review, effect of failure to file. If a solid waste collector objects to the revocation or suspension, described in paragraph (b) above, he or she may, within the five (5) calendar days of receipt of the notice, file a written request for review with the director

of public works. Failure to timely file such request for review shall make action final and binding on the affected solid waste collector.

- (d) Effect of timely filing. Timely filing of such request for review shall operate as an automatic stay of the revocation or suspension.
- (e) The director of public works or the director's designee may refuse to grant permit registration to any applicant, or may suspend the registration of any registered solid waste collector, if that person:
 - (1) Has violated or does violate any provision of state statute pertaining to solid waste including recyclables.
 - (2) Violates the provisions of this article.
 - (3) Is not insured in accordance with the provisions of this article,
 - (4) Is otherwise deemed unsuitable as a solid waste collector.

A suspension of registration may not exceed a period of one hundred eighty (180) days for any one (1) violation; provided that repeated or willful violation of this article may result in permanent revocation of registration without right to reapply.

Sec. 15-26. - Prohibition of unpermitted collectors.

Beginning thirty (30) days after the effective date of this article all persons not properly registered as solid waste collectors and all solid waste collectors whose registrations have been suspended or revoked are prohibited from engaging in collection, hauling, transporting or disposing of solid waste generated within the city.

Sec. 15-27. - Administration; promulgation of rules and regulations.

Director of public works or the director's designee shall establish administrative procedures associated with the permitting of any solid waste collector engaged in the collect and transport of solid waste in the city. The director of public works may promulgate additional rules concerning collection and disposal procedures from time to time as the director deems proper, but such rules shall not be inconsistent with this article or applicable state statutes.

Sec. 15-28. - Solid waste collector's responsibilities and obligations.

- (a) Place of delivery payment. Each solid waste collector shall deliver all municipal solid waste meeting contractual standards and collected within the territorial limits of the city to the municipally designated facility and pay the disposal charge. All other solid waste shall be delivered to appropriate disposal sites and any applicable charge shall be paid by the solid waste collector.
- (b) Prohibition on delivery. No permitted solid waste collector shall deliver any solid waste meeting the contractual standard to any place other than the municipally designated facility unless the facility is incapable of accepting such solid waste at the time of delivery, in

which event such solid waste shall be delivered to the place designated by the Municipality or as determined by the solid waste collector.

- (c) Construction and maintenance of vehicles and containers. All vehicles registered to collect and transport solid waste shall be automatic unloading vehicles of watertight construction, but shall be completely enclosed. If any such vehicle shall have a capacity of less than ten (10) cubic yards, it may have an open top, provide that it be covered when it is in motion to prevent the escape of solid waste.
- (d) Spilled solid waste. Solid waste collectors shall clean solid waste that may spill when in any municipal right of way or roadway when being carried or transferred.
- (e) Noise ordinance. Solid waste collectors are to abide by municipal noise ordinance, section 23-3 of this Code.

Sec. 15-29. - Severability.

If any provision of this article or the application thereof shall be held invalid or unenforceable, the remainder of this article, or application of such terms and provision to persons or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby and each remaining term and provision hereof shall be deemed valid and shall be enforced to the fullest extent permitted by law.

Sec. 15-30. - Administration.

The provisions of this article shall be in addition to and not in derogation of any and all provisions of the Connecticut General Statutes, the Municipal Code of Hartford, and other applicable regulations or ordinances.

Sec. 15-31. - Bulky Waste & Recycling Center.

(a) The department of public works will recommend fees for the bulky waste and recycling transfer center on an annual basis. Initial fees are as follows:

- (1) Resident permit fee: Ten dollars (\$10.00) for initial four (4) visits, additional visits ten dollars (\$10.00) each up to ten (10) visits.
- (2) City small businesses: Fifty dollars (\$50.00) for a permit plus eighty-five dollars (\$85.00) per ton tip fee with a tonnage cap to be established by the director of public works.
- (3) Bulky waste tip fee: Eighty-five dollars (\$85.00) per ton.
- (4) Metal recycling: Market pricing via municipal bid.

(b) The director of public works shall establish all transfer station operations and use procedures including limitations on tonnage delivered by resident and business users and pricing for recyclables commodities through establishment of regulations that comply with the Connecticut Department of Environmental Protection permitting regulations.

Sec. 15-32. - Statement of purpose; creation of the regional solid waste authority.

- (a) Pursuant to G.S. § 7-273aa, which provides that any two (2) or more Connecticut municipalities may, by concurrent ordinances of their legislative bodies, create a regional solid waste authority under the provisions of G.S. §§ 7-273aa to 7-273oo, inclusive ("Chapter 103b"), to jointly manage solid waste disposal and recycling services on behalf of its members, the purpose of sections 15-33 through 15-35 is to evidence Hartford's agreement to create such a regional authority to be known as the Central Connecticut Solid Waste Authority ("CCSWA"). Upon adoption of sections 15-33 through 15-35 by two (2) or more municipalities, CCSWA shall be created.
- (b) The City of Hartford agrees to the creation of CCSWA hereby, as a regional authority under the provisions of G.S. Ch. 103b and CCSWA shall have all the rights, powers, duties and obligations of a regional authority pursuant to G.S. Ch. 103b and Chs. 446d and 446e.
- (c) Designation of regional solid waste authority. The City of Hartford (the "Municipality") hereby designates CCSWA as its regional solid waste authority, including its regional resource recovery authority, and adopts the provisions of G.S. Ch. 103b in connection with this election to cause the Municipality to become a member of CCSWA; provided, however, that this designation and membership election shall not constitute a commitment of the Municipality's solid waste or recycling streams, and provided further that the Municipality agrees that it shall take no action contrary to its currently existing legal obligations and commitments, including, without limitation, making any pledge of its municipal solid waste stream to a disposal or recycling option chosen through CCSWA which has an effective date commencing prior to the expiration date of any currently existing waste stream commitment to another disposal or recycling arrangement.
- (d) Purpose and authority. The purpose of CCSWA shall be to solicit and jointly manage solid waste disposal and recycling services on behalf of its members.
- (e) Principal address of the authority. The principal address of CCSWA shall be 241 Main Street, Hartford, Connecticut 06106, c/o the Capitol Region Council of Governments.
- (f) Members of the authority. The members of CCSWA shall be the municipalities which adopt this sections 15-33 through 15-35. Each member municipality shall be assigned to one (1) of four (4) sub-regions of CCSWA:
 - (1) The Northwest Sub-Region,
 - (2) The Naugatuck Valley Sub-Region,
 - (3) The Greater Capitol Sub-Region, or
 - (4) The Shoreline Sub-Region.

(g) Voting system for meetings of the authority's full membership. The number of votes eligible to be cast by each municipal member of CCSWA at any meeting of the authority's full membership shall be determined in accordance with the following five-tiered voting system, based on the population of each municipal member compared to the total population of all CCSWA municipal members:

- (1) Each municipal member whose population is less than one (1) percent of the total population of all CCSWA municipal members shall have one (1) vote;
- (2) Each municipal member whose population is equal to or greater than one (1) percent, but less than two (2) percent, of the total population of all CCSWA municipal members shall have two (2) votes;
- (3) Each municipal member whose population is equal to or greater than two (2) percent, but less than five (5) percent, of the total population of all CCSWA municipal members shall have three (3) votes;
- (4) Each municipal member whose population is equal to or greater than five (5) percent, but less than ten (10) percent, of the total population of all CCSWA municipal members shall have four (4) votes; and
- (5) Each municipal member whose population is equal to or greater than ten (10) percent of the total population of all CCSWA municipal members shall have five (5) votes.

Sec. 15-33. - Appointment, removal and term of office of a municipal member representative.

- (a) Each municipal member shall appoint one (1) representative to CCSWA, who shall be the chief elected official of the Municipality, or that official's designee, and that representative shall exercise the voting powers established for that municipal member as set forth in sections 15-33 through 15-35. The method of appointment and removal and the term of office of each municipal member representative shall be as determined by the appointing municipality; provided, however, that not more than one-half (½) of the terms of all such municipal representatives shall expire within any one (1) fiscal year.
- (b) Annual meeting and by-laws of the authority. There shall be at least one (1) annual meeting of all municipal members of CCSWA, to elect the members of the Executive Committee and to enact such other business as shall be deemed advisable at such meeting, all as provided in the by-laws of CCSWA to be adopted after its formation. It shall require the affirmative vote of two-thirds (2/3) of the collective voting power present at a duly-called meeting of the authority's full membership to enact the by-laws or adopt any amendments thereto.
- (c) Prohibition against monetary compensation. The members and member representatives of CCSWA shall receive no monetary compensation for their service as members and member representatives of CCSWA; provided, however, that the ability of CCSWA to pay host community compensation to municipal members which agree to host solid waste facilities within their municipal borders shall not be affected by this prohibition

Sec. 15-34. - Executive Committee of the authority.

The full membership of CCSWA shall elect an Executive Committee to manage the operations of CCSWA, provided, however, that the specific division of responsibilities for such management between the Executive Committee, the full membership of CCSWA and any other body or officer of CCSWA shall be consistent with the by-laws of CCSWA to be adopted after its formation. Each member of the Executive Committee shall have one (1) vote, without regard to the voting system established by subsection 15-33(g) of this article for meetings of the authority's full membership. The members of such Executive Committee shall constitute an odd number, shall include at least one (1) representative of each of the five (5) voting tiers established pursuant to subsection 15-33(g) of this article for meetings of the authority's full membership, and shall also be determined by considerations of geographical representation, based on the four (4) sub-regions established under subsection 15-33(f) of this article. All such matters and the terms of office and appointment of such Executive Committee members and other matters pertaining thereto to be specifically determined in a manner consistent with the by-laws of CCSWA to be adopted after its formation.

Introduced
by:

Councilman James Sanchez

HEADING
AND
PURPOSE

AN ORDINANCE AMENDING DIVISION 9D OF ARTICLE 5 OF CHAPTER 2
("HARTFORD FILM, VIDEO AND MEDIA COMMISSION") OF THE MUNICIPAL
CODE OF HARTFORD

COURT OF COMMON COUNCIL
CITY OF HARTFORD

September 11, 2017

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

That Division 9D of Article 5 of Chapter 2 ("Hartford Film, Video and Media Commission") of the Municipal Code of Hartford is hereby amended to the extent that it is deleted in its entirety and in its place is substituted the following:

DIVISION 9D. - HARTFORD FILM, VIDEO, DIGITAL, MEDIA AND SOCIAL MEDIA COMMISSION

Sec. 2-293. - Established; purpose; composition.

(a) It is found and declared that:

- (1) The development of a strong film, video, digital, media and social media industry would contribute substantially to the improvement of Hartford's economy;
- (2) The development of a strong film, video, digital, media and social media industry would contribute to the social well-being of Hartford and its people; and
- (3) Hartford offers outstanding and unique human and natural resources for the development of a strong film, video, digital, media and social media industry.

(b) There is established a Hartford Film, Video, Digital, Media and Social Media Commission (the "Commission"). The Mayor shall appoint all members of the Commission and submit appointees to the Court of the Common Council for approval in accordance with the applicable provisions of the Charter of the City of Hartford. The Commission shall consist of not less than five (5) nor more than nine (9) members (the "Members"). The Members shall be Hartford residents or Hartford business owners who are not residents of Hartford but who have strong ties to Hartford. Each Member shall be knowledgeable in any one or more of the subject areas that are within the ambit of the Commission.

(c) Each Member shall serve without compensation, except that Members shall be reimbursed for reasonable expenses incurred in the performance of duly authorized Commission duties in accordance with established City of Hartford procedures. Of the Members initially appointed, two (2) shall be appointed for one-year terms, two (2) shall be appointed for two-year terms, one (1) shall be appointed for a three-year term and, if applicable, the rest of the initially appointed Members shall be appointed for four-year terms. Thereafter, each appointment of a Member shall be for a term of four (4) years. At the expiration of a Member's term, that

Member may be reappointed by the Mayor for another term or a successor may be appointed by the Mayor for another term. An incumbent shall remain in office until reappointed by the Mayor or until a successor is appointed by the Mayor. In the event of a vacancy, a successor shall be appointed by the Mayor to serve the unexpired period of the term for which such member had been appointed. All appointments and reappointments as set forth herein are subject to approval by the Court of Common Council in accordance with the applicable provisions of the Charter of the City of Hartford.

- (d) The Commission shall endeavor to meet at least once per month. Irrespective of the number of Members on the Commission, at least three (3) Members shall constitute a quorum for the transaction of the Commission's business.

Sec. 2-294. - Functions and duties.

- (a) To promote the use of Hartford locations, facilities, freelancers, independent entities and services for the production of films, videos, television programs, audio recordings, digital efforts, social media efforts, and other media-related products.
- (b) To endeavor to provide support services to visiting and in-state production companies, including but not limited to assistance to film, video, digital, social media and other media producers in securing location permits from City of Hartford and/or state agencies, departments, authorities and/or institutions.
- (c) To develop and update a resource library, including, but not limited to, a website or webpage on Hartford.gov, and/or such other internet domain name as may be applicable and/or appropriate, concerning the many possible Hartford sites that would be suitable for filming, taping and other relevant efforts.
- (d) To develop and update a production manual of available film, video, digital, social media and other media production facilities and services in Hartford.
- (e) To conduct and attend trade shows, production workshops and festivals to promote, among other things, relevant Hartford locations and facilities.
- (f) If applicable, to prepare an explanatory guide showing the impact of relevant municipal tax ordinances, code provisions, regulations and administrative options on typical production activities.
- (g) To formulate and propose guidelines for standardized permits to be used by City of Hartford agencies and/or departments, which shall be as close to a "one stop permitting" process as possible for matters including, but not limited to, the use of City of Hartford-accepted public roads and highways in Hartford, the use of City of Hartford-owned real and/or personal property for production activities and the conduct of regulated activities, and to hold workshops to assist City of Hartford agencies and/or departments in implementing such process.
- (h) To accept any funds, gifts, donations, bequests of grants of funds, with the approval of the Court of Common Council, from private and/or public sources for the purposes and/or functions of the Commission;

- (i) To request and obtain from any state agency, authority or institution or any other municipality or other political subdivision of the state such assistance and data as will enable the Commission to carry out its purposes and/or functions.
- (j) To assist and promote cooperation among all segments of management and labor that are engaged in film, video, digital, social media and/or other media production.
- (k) To create advisory councils to carry out the purposes of the Commission.
- (l) To develop criteria for use by City of Hartford agencies, departments and/or authorities in awarding financial assistance for the production of films, videos, digital productions and/or other media products in Hartford, provided that such financial assistance is available. The criteria shall give preference to projects having significant advance sales or other commitments.
- (m) To take any other administrative action(s) that may improve the position of Hartford's film, video, digital, social media and/or media production industries in national and international markets.
- (n) To encourage mentorship, education and youth programs in the areas of film, video, digital, social media and the media (the "Programs"), which efforts shall include, but not be limited to, the establishment, in Hartford, of a City of Hartford community center that will serve as a location in which the Programs will take place (the "Center"). The Commission is hereby empowered and authorized to form the appropriate business entity, the sole purpose of which entity is to create, manage, maintain and oversee the Programs and the Center, for the City of Hartford.
- (o) Form relationships between the City of Hartford and relevant educational programs at Hartford colleges, universities and other educational enterprises to effectuate and/or further the goals, mission and purposes of the Commission.
- (p) To encourage film, video, digital, social media and/or media efforts in languages that are reflective of the rich ethnic and cultural diversity in Hartford.

Sec. 2-295. - Reserved.

This ordinance shall take effect upon adoption.

INTRODUCED BY:

Council President Thomas J. Clarke II
Majority Leader Julio Concepcion
Councilwoman rJo Winch
Councilwoman Glendowlyn L. H. Thames
Minority Leader Wildaliz Bermudez

COURT OF COMMON COUNCIL

City of Hartford, September 11, 2017

WHEREAS, The City of Hartford values its ethnic, racial, linguistic, and socio-economic diversity. Our diversity is a source of our municipality's strength and the City of Hartford Court of Common Council is committed to ensuring that all our residents can live and pursue their livelihoods in peace and prosperity; and

WHEREAS, the Trump administration continues to try to force local municipalities to enforce federal immigration law, in addition to Immigration and Customs Enforcement's (ICE) renewed effort to contract with sheriffs to circumvent case law. This expansion of the deportation machine and local enforcement of immigration law makes everyone less safe. When local law enforcement voluntarily cooperates with or works on behalf of ICE to facilitate deportations, significant gaps in trust and cooperation grow between immigrant communities and the police. Some of these practices could expose the city to liability for violations of individuals' constitutional rights; and

WHEREAS, undue collaboration between local law enforcement and ICE will make immigrants less likely to report crimes, act as witnesses in criminal investigations and prosecutions, and provide intelligence to law enforcement. The cooperation of the City's immigrant communities is essential to prevent and solve crimes and maintain public order, safety and security in the entire City. Community policing depends on trust with every community and facilitating deportations will harm our efforts at community policing; and

WHEREAS, President Trump has recently pivoted off of defending white supremacists, back to the place where he is most comfortable scapegoating immigrant communities through his language and promoting policies that disproportionately impact people of color; and

WHEREAS, the administration is working to vilify cities who choose to protect aspiring citizens in an effort to browbeat municipalities to enforce federal immigration law; and

WHEREAS, the President is now threatening to shut down the federal government in order to coerce Congress to providing funds to build a wall; and

WHEREAS, a growing number of municipalities around the country are standing up to threats against privacy and liberties by taking meaningful steps to ensure that communities are safe, and that all residents' rights are respected so that their municipality may continue to thrive; and

WHEREAS, we know that we have a sacred responsibility to ensure that every individual and every family has the chance to thrive. Senate Bill 4, signed into law in Texas in May 2017, stands directly in contradiction to those values. We know that local elected officials all over Texas--City Councilmembers, sheriffs, county lawmakers, and state legislators--have stood up against the legislation because it harms their ability to keep their communities safe. They have shown how it will keep families in fear and hurt law enforcement's ability to do their job.

WHEREAS, the same countries with upcoming expiration dates for their Temporary Protected Status need an extension to continue to receive work and travel authorization.

WHEREAS, nearly 800,000 young people who came to the United States as children have come forward, passed background checks, and received permission to live and work in America. With DACA, they have advanced their education, started small businesses, and more fully established themselves as integral members of our society. DACA is under immediate, existential threat by those who are undermining the President's statements that he will protect Dreamers. With state and federal leaders attacking DACA and calling for the administration to repeal it, within the next 60 days, DACA could be gone, putting 800,000 Dreamers at risk of immediate deportation; and

NOW, THEREFORE, BE IT RESOLVED THAT, The Hartford Court of Common Council is opposed to withholding federal funding to pressure local municipalities to enforce federal immigration policies. We also oppose the use of federal funds to build a wall along our southern border and the strong arm tactics that include threats to shut down the federal government in order to get congressional approval to fund building a wall; and

NOW, THEREFORE, BE IT RESOLVED THAT, The Hartford Court of Common Council denounces anti-immigrant bills like Texas' SB4, which promote racial profiling, discrimination and harassment of immigrant communities. We are opposed to any legislation or administrative action which will provide federal funds that support the implementation of Texas SB 4; and

NOW, THEREFORE, BE IT RESOLVED THAT, The Hartford Court of Common Council stands by immigrant youth, including those protected by DACA, and support the continuation of the DACA program. We oppose any federal action that would rescind or tamper with the DACA initiative and request that the administration extends the dates on the Temporary Protected Status countries.

NOW, THEREFORE, BE IT RESOLVED THAT, The Hartford Court of Common Council is committed to working with the mayor and his administration on strong policies to protect vulnerable communities, especially immigrants. This includes the establishment policy limiting the co-optation of local police by ICE; strong privacy protections limiting the sharing of confidential personal information with federal agencies; adoption of clear and transparent protocols for the certification of U-Visas; vigorous opposition to any government registry based on religion or national origin; commitment of resources for immigrant communities, including a fund to provide legal representation for indigent residents in deportation proceedings. The Hartford Court of Common Council is committed to maintaining community stakeholder engagement around implementation of policies that preserve and protect our diverse and inclusive community, and will serve as a resource for immigrant community members with questions, comments, or concerns about safety or local government's role in defending vulnerable communities.

INTRODUCED BY:
Council President Thomas J. Clarke II

COURT OF COMMON COUNCIL
City of Hartford, September 11, 2017

WHEREAS, Section 2-198 of the Hartford Municipal Code designates the last Saturday in September as African American Day in the city of Hartford; and

WHEREAS, Members of the community have requested that the last week in September 2017 be designated as African American Heritage Week in honor of Isabel Mendes Blake; and

WHEREAS, Isabel Mendes Blake was a Hartford community activist who fought for welfare rights, education, and legal aid for the needy, and, in 1971, led a two-week demonstration at the State Capitol to protest welfare cuts; and

WHEREAS, Ms. Blake served as director of Welfare Outreach, formed PTAs, worked as a resource counselor for the Upper Albany Community Organization, and founded a statewide organization called Welfare Mothers' Rights; now, therefore, be it

RESOLVED, In honor of Isabel Mendes Blake's thirty years of activism, The Court of Common Council hereby designates the week of September 24 – 30, 2017 as African American Heritage Week in the city of Hartford.

INTRODUCED BY:

Council President Thomas J. Clarke II
Julio Concepcion, Majority Leader
John Q. Gale, Assistant Majority Leader

COURT OF COMMON COUNCIL
City of Hartford, September 11, 2017

WHEREAS, On January 3, 2017, U.S. Representative Richard Hudson (R-NC) introduced HR 38 and on February 27, 2017, U.S. Senator John Cornyn (R-TX) introduced S 446, both known as the Concealed Carry Reciprocity Act of 2017; and

WHEREAS, While every state allows concealed carry of firearms under some circumstances, each state has different requirements on who is permitted to carry, what requirements are appropriate, and what type of training should be required of permit holders; and

WHEREAS, The Concealed Carry Reciprocity Act of 2017 would allow people with concealed carry permits in one state to take their weapon to any other state, even if the other state has stricter limits on concealed carry weapons than the home state in which they obtained their permit; and

WHEREAS, Connecticut has some of the strictest gun control regulations in the country, and Connecticut has the fifth-lowest firearm mortality in the country, this legislation would weaken the regulations we value by allowing gun owners from states with significantly less-stringent regulations to carry weapons in our state; and

WHEREAS, Connecticut is a "may issue" state, meaning that it may exercise discretion in granting or denying concealed carry permits, and this legislation would effectively force Connecticut to cede this discretion; and

WHEREAS, These Concealed Carry Reciprocity bills would override existing state laws and local practice and severely limit Connecticut's ability to prevent criminal firearm trafficking, criminal possession of weapons, and the general proliferation of firearms in public places; now, therefore, be it

RESOLVED, That the Hartford City Council go on record opposing H.R.38 and S.446, the Concealed Carry Reciprocity Act of 2017, and calls on its representatives in the U.S. House of Representatives and Senate to vote against these bills, and to work with their colleagues to oppose these bills; and be it further

RESOLVED, That the City Clerk be and hereby is requested to forward a suitably engrossed copy of this order to all Hartford representatives in Congress.

INTRODUCED BY:
MINORITY LEADER WILDALIZ BERMUDEZ
COUNCIL PRESIDENT CLARKE II

Court of Common Council

City of Hartford Sept 11th, 2017

Resolution calling for public hearings on the consequences of bankruptcy

WHEREAS, Bankruptcy would be devastating to our cities residents, public employees, homeowners, Business owners and students; Therefore be it

RESOLVED, That Council will hold a series of public forums/public hearings for all Hartford residents on the consequences of declaring bankruptcy, how it will directly impact them, and of alternative restructuring options.

INTRODUCED BY

Majority Leader Julio A. Concepción
Assistant Majority John Q. Gale
Councilman James Sanchez
Councilwoman Glendowlyn L.H. Thames

COURT OF COMMON COUNCIL
City of Hartford, September 11, 2017

WHEREAS, Section 22-120 of the Municipal Code of the City of Hartford prohibits the owner of an all-terrain vehicle (ATV), mini cycle and/or off road motorbikes to operate or knowingly permit the operation of such vehicle on any street or sidewalk in the City of Hartford or on any public property, including but not limited to school property, playgrounds and parks, within the City of Hartford; and

WHEREAS, Section 16-8 of the Municipal Code, which was recently added, restricts the sale of gasoline to operators of ATVs and mini cycles; and

WHEREAS, The City of Hartford continues to experience the illegal use of all-terrain vehicles and off road motorbikes on our City Streets that has created a public safety hazard to our community and to our police officers who try to intercept these vehicles at high rates of speed on our streets; and

WHEREAS, The Court of Common Council commissioned the ATV Taskforce in partnership with the Hartford Police Department to come up with a set of recommendations on how best we, as a city can continue our efforts to combat the illegal use of all-terrain vehicles and off road motorbikes; now, therefore, be it

RESOLVED, That after ten months of diligent time and dedication the ATV Taskforce has presented the Court of Common Council with a set of thoughtful recommendations for council to consider and implement; and be it further

RESOLVED, That the Court of Common Council greatly appreciates and thanks all of the ATV Taskforce members for their time and commitment toward this effort to increase the quality of life for all Hartford residents; and be it further

RESOLVED, That the Court of Common Council accepts the recommendations of the ATV Taskforce and will work diligently to implement strategies to eradicate the illegal use of all-terrain and off road motorbikes in the City of Hartford.

INTRODUCED BY:

COURT OF COMMON COUNCIL

Councilwoman Cynthia R. Jennings

City of Hartford, September 11, 2017

Council President Thomas J. Clarke II

Council Minority Leader Wildaliz Bermudez

Councilman Larry Deutsch

Resolution to Save Connecticut's Economy By Ending Mass Incarceration

Whereas, the State of Connecticut has 14,335 people incarcerated now, and

Whereas, 71.3 percent of the State's prison population is African-American (43.6 %) and Latino descent (27.7 %), and

Whereas, this number represents a racial bias that is unacceptable, and

Whereas, Connecticut Taxpayers are paying a tremendous amount of money to house non-violent inmates that may not be able to afford bail, and may be imprisoned for non-violent issues including child support and,

Whereas, the total estimated cost to Connecticut taxpayers, to incarcerate 14,335 people in Connecticut prisons per year, at an average cost of \$200,000 per year for each prisoner, comes to more than two billion, 867 million dollars per year (\$2,867,000,000), when prison construction and maintenance, water bills, food, food preparation, cleaning costs, liability insurance, lawsuits, laundry, court fees, public defenders, halfway houses, health care, housing, food, medical treatment, dental treatment, psychological counseling, physical therapy, end of life costs, burial and other direct and staffing costs related to incarceration are averaged out, and

Whereas, the mass incarceration of so many Black and Latino men and women has created an economic crisis which is sinking the Connecticut economy, and

Whereas, mass incarceration is one of the most inhumane systems, outside of slavery, that impacts massive numbers of people of color and their minor children, and

Whereas, children of incarcerated people face substantial challenges, including the real possibility that they will also become part of the juvenile and adult criminal justice system, and

Whereas, Connecticut Taxpayers now support large numbers of geriatric prisoners, who eventually die in our prisons, and must be provided with high cost health care until they die, and Connecticut taxpayers then must pay the cost to bury these inmates, and

Whereas, Geriatric and Juvenile offenders can cost upwards of \$350,000 per year, and

Whereas, it is approximately 90% less costly to release non-violent offenders, provide them with services in the community, and to retrain Correction Officers to become Parole or Probation Officers, and

Whereas, the mass incarceration of individuals based on their race, gender and national origin is a huge violation of the rights of Connecticut Citizens, destroys lives, dehumanizes individuals, removes parents from their children's lives, and destroys the lives of thousands of Connecticut's children and families, and

Whereas, Connecticut cannot afford to sustain this inhumane system of mass incarceration, which is destroying Connecticut's economy, and

Whereas, the cost per inmate to the State of Connecticut Department of Correction (DOC) for a healthy, young inmate, is \$ 50, 262.00 annually, this cost does not include all of the ancillary costs and expenses outside of DOC, and

Whereas, a U.S. News opinion piece highlighted that the high cost related to incarceration tends to dedicate more funds to incarceration than to other budget items, and

Whereas, according to a CNN report the State of Connecticut spends more for each person incarcerated than it does for each public-school student, and

Whereas, a Pew Research study found that former inmates earn 40% percent less than those who were not incarcerated, and

Whereas, the State of Connecticut DOC currently has 6117 staff positions to supervise its inmate population, and

Whereas, the costs of the Court system for Connecticut that supports this huge, inhumane system of mass incarceration, is not calculated into the cost per prisoner, and

Whereas, the savings that would result in reducing the State's prison population and retraining Correction Officers to become probation and parole officers, can be used to fund social service programs throughout Connecticut, reduce taxes on Connecticut residents, and restructure the Connecticut economy, and

Be It Resolved, that the Hartford Court of Common Council supports the immediate release of all non-violent prisoners to reduce the costs associated with the State's prison population, and to save Connecticut's economy, and

Be It Further Resolved, that the savings that result in reducing the State's prison population be used for the retraining of Department of Correction staff to become probation and parole officers and use as an evaluation tool how many former inmates on their caseloads they have successfully assisted in obtaining gainful employment, workforce development training, housing, social service programs, medical support, psychological support and/or drug treatment, and

Be it Finally Resolved, that the State of Connecticut will automatically expunge the records of every individual who has *ever* been incarcerated in *any* Connecticut prison for a non-violent crime, so that these individuals can be re-integrated into society, have their lives restructured, and have an opportunity to enter the workplace without the stigma placed on them because of mass incarceration driven by race, color and national origin in Connecticut.

INTRODUCED BY
Councilman Larry Deutsch

COURT OF COMMON COUNCIL
September 11, 2017

Maintenance of services in the City of Hartford

Whereas, unemployment in the city of Hartford is high compared to nearby areas in the Greater Hartford region or beyond the state, and many jobs outsourced may be performed with a Hartford based workforce and with Hartford equipment, and

Whereas, labor and equipment have not been publicly compared, including many benefits through employment of Hartford residents who are also more likely to spend their earned income here within the city with an important effect on local Hartford business, and

Whereas, large expenditures from the City's budget have been shifted from city payroll into distant private business operations (see appendix of photographs and financial documents as example), therefore be it

RESOLVED, that there be quarterly reports for the public and the City Council of all contracts and expenditures outsourced to private firms that for any project total greater than \$25,000 within a single quarter or \$50,000 within a half year, and further be it

RESOLVED, that these reports include names and location of firms, its number of employees, an appendix with contract for its services, and a documented history of the firm's services within the recent 3-year period.

INTRODUCED BY:

Councilwoman Glendowlyn L.H. Thames
 Council President Thomas J. Clarke II
 Minority Leader Wildaliz Bermudez
 Councilwoman RJo Winch

COURT OF COMMON COUNCIL

City of Hartford, September 11, 2017

WHEREAS, The need for quality affordable and market rate rental housing throughout the City of Hartford's neighborhoods is critical for the city to be economically vibrant and sustainable; and

WHEREAS, The City of Hartford currently does not have adequate and sufficient man-power and other resources to address and remedy all housing code violations; and

WHEREAS, The City has made Blight a major quality of life priority over the past year however, this effort has been primarily focused on the external portion of the buildings and/or structures and not the internal blight that is pervasive across our city in the housing rental unit market; and

WHEREAS, To respond to the growing demands of the community to ensure we are providing a safe, healthy inventory of rental housing to residents of the City, it is important we develop a comprehensive strategy to preserve and increase our affordable and market rate rental housing stock; now, therefore, be it

RESOLVED, The Court of Common Council has the desire to work with the administration on developing a city-wide strategy to combat substandard rental housing units that plaque our neighborhoods across the city and ensure we can provide a safe, clean and healthy living environment for our children and families throughout the city; and be it further

RESOLVED, That at a minimum, as part the strategy the following elements should be incorporated:

- A City of Hartford Tenant Bill of Rights (please see exhibit "A " a suggested initial framework)
- Develop a system that identifies the most egregious and regular offenders
- Research and suggest state policy that could be introduced that enables the city of Hartford staff with more tools to do their job more efficiently and rapidly
- Implement a process improvement strategy that cross-trains housing inspectors and provides better coordination of internal policies and practices to ensure we can adequately and efficiently prioritize and deploy resources
- Design a work flow process across all relevant programs that the city administers related to housing such as subsidies, abatements, grants etc. to ensure the city is not letting property owners "off the hook" in the event they have active housing code and/or other related city and/or state violations.
- Provide at minimum a comprehensive annual report to the Planning, Economic Development Committee identifying a detailed report on the case load for housing code violations, resolutions, active and closed cases.

Introduced By:
rJo Winch, Councilwoman

Court of Common Council

September 11, 2017

Contract Compliance Taskforce Recommendations

WHEREAS: The Contract Compliance Taskforce was adopted on April 11, 2017, and has met for the past 12 months for the purpose of making recommendations to the Court of Common Council on areas the City of Hartford can improve on such as residency hiring, local contractor hiring, contract compliance and living wage ordinance accountability, and

WHEREAS: A top priority of the Contract Compliance Taskforce's was the re-establishment of the Office of Human Relations because all contract compliance accountability in other ordinances referred to this office to ensure requirements are met, and

WHEREAS: The Contract Compliance Taskforce thanks the Court of Council for the establishment of the Office of Human Relations by ordinance dated January 9, 2017. Therefore, be it

RESOLVED: That the Contract Compliance Taskforce makes the following recommendations:

1. Define good faith effort to mean:
 - a. Listing in local newspapers
 - b. Posting on City of Hartford Website
 - c. Pulling from Certified City listing
 - d. Hartford Job Fairs
 - e. Reach out to Local Organizations who do job placements
2. Increase local resident and contract hiring to reflect the population of the City of Hartford.
3. Women Owned Business must have women active participation of more than 51% of business operations.
4. Major contractors are required to collaborate joint ventures with minority contractors to be eligible for city awarded contracts.
5. Minority hiring requirements must be met throughout the life of the contract
6. Living wage ordinance wages and employment requirements must be obtained through out the life of the contract.
7. Produce certified payroll to Office of Human Relations quarterly or when requested within 24 hours which includes, resident, gender and wage of employees.
8. With the exception of family business, local workforce should be represented by 50% bona fide Hartford residents as defined below
 - a. Hartford Mailing Address
 - b. Hartford Registered Voter
 - c. Hartford Registered Vehicle
9. Bona Fide Hartford Business or Local Contractor:
 - a. 50% Hartford resident employees
 - b. Hartford business mailing address, not a PO Box when practical
 - c. Noncompliance will result in the following Three Strike Policy:
 - i. Suspended from City Certification List
 - ii. Prohibited from participating in future contracts for up to one year
 - iii. \$500 per day fine until infractions are corrected, and be it further

RESOLVED: That these recommendations be adopted once presented to the Council in the form of the corresponding ordinances unless otherwise adopted.