

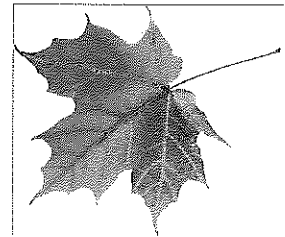
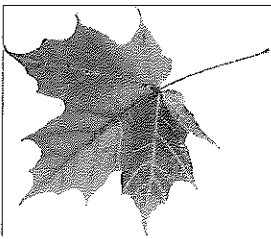
Court of Common Council



AGENDA

MEETING OCTOBER 22, 2018

7:00 P.M.



**CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103**

AGENDA
MEETING OF THE COURT OF COMMON COUNCIL
October 22, 2018
Approve the Minutes of Council Meeting of October 9, 2018

ACTION TAKEN

COMMUNICATIONS

1. MAYOR BRONIN, with accompanying resolution authorizing the mayor to accept a three-year grant from the U.S. Department of Housing and Urban Development (HUD) through its Office of Healthy Homes and Lead Hazard Control.
2. MAYOR BRONIN, with accompanying resolution authorizing the City of Hartford to enter into a tax assessment fixing agreement with Teachers Corner Hartford LLC for the property at 370 Asylum Street.
3. MAYOR BRONIN, with accompanying resolution authorizing the City of Hartford to accept a grant, for fiscal Year 2019 from the Connecticut State Library through its Historic Documents Preservation Program for Connecticut Municipalities.
4. MAYOR BRONIN, with accompanying resolution authorizing the City of Hartford to accept Emergency Management Performance Grant funds from the CT Department of Emergency Services and Public Protection.
5. MAYOR BRONIN, with accompanying resolution authorizing the City of Hartford to modify the conditions of sale of certain City-owned property on Naugatuck Street to Toraal Development, LLC for the development of 20 units of housing to be known as Brackett

HEARING DATE - Monday, November 19, 2018

6. MAYOR BRONIN, with accompanying resolution authorizing FY2018 budget transfers from available unencumbered balances within the General Fund expenditure budget to three departments who have incurred expenditures over-runs.
7. MAYOR BRONIN, with accompanying resolution authorizing the Mayor to accept a grant from the Capitol Region Council of Governments through the Emergency Public Health Emergency Preparedness Program for the period July 1, 2018 through June 30, 2019.
8. PLANNING, ECONOMIC DEVELOPMENT AND HOUSING COMMITTEE, Communication concerning a resolution that declares city policy that all projects for residential or mixed-use development in Hartford which receive municipal tax credits, loans, tax fixing agreements (TFA), or other taxpayer-supported incentives also provide for; a minimum 20% affordable housing, City's Living Wage provisions and a Community Benefits Agreement, was postponed until the next Committee meeting.

REPORTS

9. HEALTH AND HUMAN SERVICES COMMITTEE, with accompanying resolution requesting that the administration promptly produce independently-calculated details showing comprehensive and complete costs for employees, their families and also an analysis of HDHP/HSA plans and/or unjustified increases in paycheck deductions for health insurance, through new or renewed contractual terms or through administrative imposition.
10. LABOR, EDUCATION, WORKFORCE AND YOUTH DEVELOPMENT COMMITTEE, with accompanying resolution requesting that the administration promptly produce independently-calculated details showing comprehensive and complete costs for employees, their families and also an analysis of HDHP/HSA plans and/or unjustified increases in paycheck deductions for health insurance, through new or renewed contractual terms or through administrative imposition.
11. OPERATIONS, MANAGEMENT, BUDGET AND GOVERNMENT ACCOUNTABILITY COMMITTEE, with accompanying resolution requesting that the administration promptly produce independently-calculated details showing comprehensive and complete costs for employees, their families and also an analysis of HDHP/HSA plans and/or unjustified increases in paycheck deductions for health insurance, through new or renewed contractual terms or through administrative imposition.

12. OPERATIONS, MANAGEMENT, BUDGET AND GOVERNMENT ACCOUNTABILITY COMMITTEE, with accompanying resolution authorizing the City to enter into a 15-year tax abatement agreement with Westbrook I Housing, LLC.
13. OPERATIONS, MANAGEMENT, BUDGET AND GOVERNMENT ACCOUNTABILITY COMMITTEE, with accompanying resolution authorizing the City to grant three temporary construction easements and one permanent drainage easement across certain City-owned land to the State of Connecticut Department of Transportation to complete State highway project 63-703
14. QUALITY OF LIFE AND PUBLIC SAFETY COMMITTEE, with accompanying substitute resolution urging the Administration to request the Federal Court NOT "sunset" the Consent Decree until the above issues surrounding the Firearms Discharge Board are settled and to provide an update by the next Council Meeting scheduled for October 22, 2018.
15. QUALITY OF LIFE AND PUBLIC SAFETY COMMITTEE, with accompanying resolution concerning authorization to accept funds from the Connecticut Office of Policy and Management for the Hartford Alternative to Arrest Program (HAAP).
16. QUALITY OF LIFE AND PUBLIC SAFETY COMMITTEE, with accompanying requesting another recruitment, retention and promotion plan with special emphasis on Minorities and Hartford residents and include the current staffing levels which includes rank, years of service, salaries and race from The Hartford Police Department.

FOR ACTION

17. Substitute ordinance amending Chapter 2A - Pensions, Section 2A-5 and creating New Sections 2A-45, 2A-46 and 2A-47 of the Hartford Municipal Code.
18. Resolution concerning the approval of the regulations governing the use of unmanned aerial vehicles by the Hartford Police Department in accordance with the processes recommended by this resolution.
19. Ordinance amending Chapter Two, Article VIII Section 2-850 Residency Requirements of the Municipal Code.
20. Ordinance amending Chapter 2, Article VI, Division 4, Section 2-352 concerning compensation for nonunion and unclassified executive service classification of the Hartford Municipal Code.
21. Ordinance amending Chapter 29, Article I, to add Section 29-18 relating to the Use of Unmanned Aerial Vehicles by the Hartford Police Department, of the Municipal Code.
22. Resolution requesting that the pavilion which adjoins the carousel at Bushnell Park be officially known as The Dollard Pavilion in honor of this outstanding citizen.
23. Ordinance amending Chapter IV, section 17-87 – 17-101 of the Hartford Municipal Code.

PROPOSED ORDINANCES

24. (MAYOR BRONIN) Ordinance amending Chapter 26, Article II, Section 26-31 "Unlawful Conduct Generally" of the Municipal Code.

HEARING DATE - Monday, November 19, 2018

RESOLUTIONS

25. (COUNCIL PRESIDENT THAMES) Resolution concerning the appointment of James Sanchez, Majority Leader (D) and Councilwoman Rosado (D) as a members of the Legislative Affairs Committee effective October 22, 2018.
26. (COUNCILMAN CLARKE II) Resolution requesting that the Sneakers & Stiletto's Self Protection Conference be able to charge a fee of \$10 for at Parker Memorial on Saturday, October 27th for their Domestic Violence Prevention Conference.

Attest:

John V. Bazzano
City Clerk



ITEM# 1 ON AGENDA

Luke A. Bronin
Mayor

October 22, 2018

Honorable Glendowlyn L.H. Thames, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Lead Control and Healthy Homes Grant

Dear Council President Thames:

Attached for your consideration please find a resolution authorizing the Mayor to accept a three-year grant of \$3,400,000 from the U.S. Department of Housing and Urban Development (HUD) through its Office of Healthy Homes and Lead Hazard Control. This grant succeeds a previous HUD grant which was approved by Council in 2014 for the same purposes.

The Centers for Disease Control & Prevention (CDC) have set a goal to eliminate childhood lead poisoning by the year 2020. The U.S. Department of Housing and Urban Development (HUD) Office of Healthy Homes and Lead Hazard Control (OHHLHC) is working in collaboration with the Centers for Disease Control (CDC) to reduce childhood lead poisoning by providing grants to municipalities for Lead Hazard Reduction Demonstration (LHRD) and Healthy Homes programs.

HUD's funding is intended to reduce childhood lead poisoning and harm from other household hazards by assisting local governments to undertake comprehensive programs to identify and control lead-based paint and other hazards in eligible privately owned rental housing both for renters and owner-occupants. With HUD's assistance, the City has developed a comprehensive community-based approach to remediating lead and safety hazards in housing and has provided services aimed at reducing childhood lead poisoning through community outreach and education. The LHRD and Healthy Homes program will: 1) provide forgivable loans to property owners to identify and abate lead in their rental properties, 2) utilize the Healthy Homes rating system to assess, prioritize and remediate other health and safety hazards, 3) provide training to Hartford residents in keeping their homes lead-safe, and 4) provide lead-safe worker training to residents and lead-safe supervisor training to contractors.

The grant period is a 36-month period from September 28, 2018 through September 27, 2021. A match of \$761,067.39 is required which will be achieved through in-kind contributions, i.e. the salaries and benefits of City staff who implement the program, which are included in the FY2019 budgets of Health and Human Services and the Housing Division, as well as contributions of program partner Family Life Education.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Luke A. 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, October 22, 2018

WHEREAS, The Hartford Department of Health & Human Services has developed a comprehensive community-based approach to remediating lead and safety hazards in housing and has provided services aimed at reducing childhood lead poisoning through community outreach and education efforts, and

WHEREAS, The Centers for Disease Control & Prevention (CDC) have set a goal to eliminate childhood lead poisoning by the year 2020; and

WHEREAS, The U.S. Department of Housing and Urban Development (HUD) Office of Healthy Homes and Lead Hazard Control (OHHLHC) is working in collaboration with the CDC to reduce childhood lead poisoning by providing grants to municipalities for Lead Hazard Reduction Demonstration (LHRD) and Healthy Homes programs; and

WHEREAS, HUD OHHLHC has awarded the City of Hartford a grant of \$3,400,000 for a 36-month period from September 28, 2018 through September 27, 2021 for Lead Hazard Reduction Demonstration (LHRD) and Healthy Homes project to be implemented by the City of Hartford's Health & Human Services Department; and

WHEREAS, The LHRD and Healthy Homes program will 1) provide forgivable loans to property owners to identify and abate lead in their rental properties, 2) utilize the Healthy Homes rating system to assess, prioritize and remediate other health and safety hazards, 3) provide training to Hartford residents in keeping their homes lead-safe, and 4) provide lead-safe worker training to residents and lead-safe supervisor training to contractors; now therefore, be it

RESOLVED, That the Court of Common Council hereby authorizes the Mayor to accept \$3,400,000 in grant funding from the U.S Department of Housing and Urban Development (HUD) for the 36- month period from September 28, 2018 through September 27, 2021; 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 agreements and 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

October 22, 2018

Honorable Glendowlyn L.H. Thames, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Teachers Corner Tax Fixing Agreement

Dear Council President Thames:

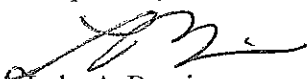
Attached for your consideration is a resolution authorizing the City of Hartford ("City") to enter into a tax assessment fixing agreement with Teachers Corner Hartford, LLC ("Teachers Corner") for the property at 370 Asylum Street (the "Property").

RBH Group ("RBH"), a Newark based real estate developer, is converting the long-vacant former bank building at the Property into a housing development with 60 units of workforce housing and approximately 6,000 square feet of ground floor retail. Of the 60 units, 20% (12 units) are reserved for individuals with incomes below 50% AMI and 10% (6 units) are reserved for people with incomes at 100% AMI. The balance of the units are being pre-marketed to teachers who will have a preference in selecting units in advance of the opening.

The redevelopment project was financed in part by a \$4M loan from the Capital Region Development Authority ("CRDA"). CRDA's financing allows the Project to benefit, pursuant to C.G.S. Sec. 32-610a, from a residential assessment rate once a certificate of occupancy ("CO") is issued. As of the October 1, 2018 assessment date, the redevelopment of the Property is approximately 90% complete, with a CO expected in November 2018 (an 8-week delay beyond the original estimate). Since the residential rate cannot take effect until after the issuance of a CO, and the City does not have the authority to pro-rate taxes for a portion of a year, the Property will be assessed at a much higher commercial rate for the 2018 Grand List year. This will affect the July 2019 and January 2020 tax bills, resulting in an unanticipated increase in projected taxes estimated to be between \$107,000 and \$160,000.

The increase would fall during the project's tenant lease-up period when expenses such as marketing and staff costs are high in relation to the revenue received. Although RBH incorporated a reserve into their budget to cover the lease-up period, the reserve was budgeted based on the Property being assessed at the residential rate. Consequently, the lease-up reserve is insufficient to cover the tax increase and will cause the project to operate in the red for coming years. To address the unexpected increase in taxes attributed to the timing of the CO, a tax fixing agreement is proposed whereby the Property will be assessed at the residential rate for the 2018 Grand List Year. The project is near completion and will transform a long vacant commercial building and bring additional market rate and affordable units to the downtown neighborhood. The proposed tax fixing agreement will help ensure the project is economically viable in its first years of operation. The agreement as proposed herein was approved by the City's Tax Abatement Committee on September 28, 2018.

Respectfully submitted,


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, October 22, 2018

WHEREAS, RBH Group ("RBH"), a Newark based real estate developer, is converting the long-vacant former bank building at 370 Asylum Street (the "Property") into a housing development with 60 units of workforce housing and approximately 6,000 square feet of ground floor retail; and

WHEREAS, The redevelopment project was financed in part by a \$4M loan from the Capital Region Development Authority, allowing the project to benefit from a residential assessment rate once a certificate of occupancy ("CO") is issued per C.G.S. Sec. 32-610a; and

WHEREAS, As of the October 1, 2018 assessment date, the redevelopment of the Property is approximately 90% complete, with a CO expected in November 2018; and

WHEREAS, Since a CO was not be in place in time for the October 1st assessment date, the Property will be assessed at a much higher commercial rate for the 2018 Grand List year resulting in a tax increase of approximately \$107,000-\$160,000; and

WHEREAS, The increase would fall during the project's tenant lease-up period when expenses are high in relation to revenue, and will cause the project to operate in the red; and

WHEREAS, a tax fixing agreement is proposed whereby the Property will be assessed at the residential rate for the 2018 Grand List Year; and

WHEREAS, The proposed tax fixing agreement will help ensure that the project, which will transform a long vacant commercial building and bring additional housing units to downtown, is economically viable during its first years in operation; and

RESOLVED, That the Court of Common Council hereby authorizes the Mayor to enter into a Tax Fixing Agreement with Teachers Corner Hartford, LLC, fixing the assessment on the Property at the residential rate for the 2018 Grand List year; 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 tax fixing 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

October 22, 2018

Honorable Glendowlyn L.H. Thames, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: CT State Library Grant

Dear Council President Thames:

Attached for your consideration is a resolution authorizing the City to accept a \$9,500 grant, for Fiscal Year 2019, from the Connecticut State Library through its Historic Documents Preservation Program for Connecticut Municipalities.

In 2006, the City of Hartford, under the direction of the Town Clerk, began the City Archives Project. The goal of the project is to preserve and make available to the public documents and records relating to the history of Hartford. The records which were, at that time, stored in the five-story vault in Hartford City Hall were to be removed, sorted, and preserved and a guide to the items prepared. An arrangement was developed with the Hartford Public Library's Hartford History Center (HHC) to house the historic materials in a climate controlled environment and make them accessible to the public. Over the past twelve years, much progress has been made. In November of 2010, many documents, some of which date to the 1600s and 1700s, were turned over to the HHC. Additional records will be transferred to the HHC as cataloging continues and all will be incorporated into the Library's online finding aid.

A portion of this year's grant (\$8,000) from the CT State Library will be used to pay for the continued work of the City's Archival Aide who will clean, sort, and catalog the records and transfer them to the HHC. In addition, grant funds will be used for a portion of the cost of backfile conversion, i.e. the scanning of land records from 2002 and conversion to electronic images which will be uploaded to the Town Clerk's system. The total conversion cost is \$6,867. The grant will pay \$1,500 and the remainder of the cost will be paid from the Town Clerk's budget. No match is required for this grant.

Respectfully submitted,

A handwritten signature in dark 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, October 22, 2018

WHEREAS, Since 2006, the City of Hartford, through the Town Clerk's Office, has been implementing the City Archives Project, through which historic documents and records, dating back to the 17th century, are being preserved, sorted, and inventoried and made available to the public through the Hartford Public Library's Hartford History Center, and

WHEREAS, Grant funds to support this work are available from the Connecticut State Library through its Historic Documents Preservation Program for Connecticut Municipalities, now, therefore be it

RESOLVED, That the City is hereby authorized to accept a grant of \$9,500 for the fiscal year 2019 through the above program, and be it further

RESOLVED, That the Mayor is hereby authorized to execute and deliver, in the name of and on behalf of the municipality, a contract with the CT State Library for a Historic Documents Preservation Program 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 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# 4 ON AGENDA

October 22, 2018

Honorable Glendowlyn L.H. Thames, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Emergency Management Performance Grant

Dear Council President Thames:

Attached for your consideration is a resolution authorizing the City to accept \$62,003 in Emergency Management Performance Grant (EMPG) funds from the CT Department of Emergency Services and Public Protection.

EMPG funds are allocated in compliance with Section 662 of the Post-Katrina Emergency Management Reform Act of 2006 as amended (6 U.S.C. Section 762) and are provided to the State of Connecticut through the Federal Emergency Management Agency (FEMA). The EMPG program provides funding to assist state and local governments in enhancing and sustaining their all-hazards emergency management capabilities. The State provides subgrants to towns and cities. Municipalities may utilize their funds to support emergency management staff positions. The grant requires a cash or in-kind match.

The City proposes and the State has agreed that EMPG funding be used to reimburse the City for 50% of the salaries of the Emergency Management Director (the Fire Chief) and the Deputy Emergency Management Director (Assistant Fire Chief) and that the remaining 50% of their salaries will serve as the required match to the grant. The period of the grant is October 1, 2018 through September 30, 2019.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "L. 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, October 22, 2018

WHEREAS, The Connecticut Department of Emergency Services and Public Protection (ESPP) makes grant funding available to municipalities on an annual basis through the Emergency Management Performance Grant (EMPG); and

WHEREAS, The EMPG program provides resources to assist local governments in preparing for all types of hazards, including a system of emergency preparedness for the protection of life and property; and

WHEREAS, ESPP has notified the City that its EMPG grant is \$62,003; and

WHEREAS, The City of Hartford is committed to saving lives and protecting property through the ongoing development and coordination of its Emergency Management program and the grant will support the following activities: 1) emergency organization, planning and management, 2) direction, control, and warning, 3) population protection, and 4) training and exercises; and

WHEREAS, The EMPG funding will reimburse the City for 50% of the salaries of the Emergency Management Director (the Fire Chief) and the Deputy Emergency Management Director (Assistant Fire Chief) and the remaining 50% of their salaries will serve as the required match to the grant; now, therefore, be it

RESOLVED, That the Mayor is hereby authorized to accept the EMPG grant of \$62,003 from the CT Department of Emergency Services and Public Protection for the period October 1, 2018 through September 30, 2019; 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 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.



ITEM# 5 ON AGENDA

Luke A. Bronin
Mayor

October 22, 2018

Honorable Glendowlyn L.H. Thames, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Brackett Knoll: Changed Conditions

Dear Council President Thames:

Attached for your consideration is a resolution authorizing the City of Hartford ("City") to modify the conditions of sale of certain City-owned property on Naugatuck Street to Toraal Development, LLC for development of 20 units of housing to be known as Brackett Knoll.

By resolution of March 26, 2018, the Council authorized the sale of the property at 53, 57, 60, 61, 65, 66, 69, 70, 73, 76, 79, 80, 85, and 91 Naugatuck Street (all together, the "Property") to Toraal Development, LLC for \$115,000 with a condition that if the development was not complete within 3 years, the unfinished parcels would revert in ownership back to the City, and the City would refund to Toraal a pro rata share of the purchase price. CRDA is funding Toraal's purchase from the City. The attached resolution modifies the agreement so that, if the development is not completed, the unfinished property would be transferred to CRDA, which would manage the completion of the project. In that event, the City would not make any pro rata payment to any person.

This proposed resolution will also authorize the City to sign any easements required by utility providers in the roadway of the Naugatuck Street extension and on the development parcels now, rather than waiting until closing on the sale. This will accommodate the construction schedule for the utilities and the road.

The changes in the attached resolution are advantageous to the City and I urge your approval. Staff of Development Services and Corporation Counsel are available to assist you in your review.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "LB", 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, October 22, 2018

WHEREAS, on March 26, 2018, the Court of Common Council resolved to authorize the City to sell property at 53, 57, 60, 61, 65, 66, 69, 70, 73, 76, 79, 80, 85, and 91 Naugatuck Street (all together, the "Property") to Toraal Development, LLC ("Toraal") for \$115,000, for construction of housing; and

WHEREAS, the March 26, 2018 resolution required that if Toraal does not complete such construction within 3 years of closing, the City would take back uncompleted parcels and refund to Toraal a pro rata share of the purchase price; and

WHEREAS, Capitol Region Development Authority ("CRDA") will fund Toraal's purchase; and

WHEREAS, CRDA's conditions of the funding conflict with the March 26, 2018 resolution in that CRDA requires that, in the event Toraal does not complete construction within a certain time, then any undeveloped parcel will become the property of CRDA, not the City, and, in that case, the City will retain the full purchase price, and will not make any refund; and

WHEREAS, the construction schedule requires the execution of utility agreements and easements for the Property and for the Naugatuck Street extension before the sale of the Property is consummated, so that the grantor of such documents must be the City of Hartford, and not Toraal as originally contemplated; now therefore be it

RESOLVED, that the City is authorized to accept the conditions of CRDA's funding, and this resolution supersedes the March 26, 2018 resolution, so that after closing, none of the parcels will revert to the City, and the City will retain the purchase price in all events; and be it further

RESOLVED, that the City is authorized to execute such contracts and grant such easements as may be required by Eversource, Connecticut Natural Gas, or others to provide utilities for the Property and for the Naugatuck Street extension; and be it further

RESOLVED, that no person shall be entitled to rely on or otherwise claim any benefit by reason of this resolution should the Mayor fail to execute any documents mentioned herein or connected with the project, or fail to take any of the other herein described actions; and be it further

RESOLVED, that all approvals and authorizations provided hereby are contingent upon and only shall be effective upon and by means of the Mayor's execution of such operative documents and taking such actions, all of which shall be acceptable in form and substance to the Mayor and the Corporation Counsel.



ITEM# 6 ON AGENDA

Luke A. Bronin
Mayor

October 22, 2018

Honorable Glendowlyn L.H. Thames, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: FY 2018 Year-End Transfers

Dear Council President Thames:

Attached for your consideration is a resolution authorizing FY2018 budget transfers totaling \$999,471 from available unencumbered balances within the General Fund expenditure budget to three departments who have incurred expenditure over-runs.

Each fiscal year, prior to the close of the financial audit, the Office of Management, Budget and Grants provides information on final transfers necessary to comply with audit requirements. The City of Hartford is projected to close the fiscal year ending June 30, 2018 with an approximate \$200,000 surplus, net of all requested transfers. FY2018 Revenues are currently \$594.9 million and expenses are approximately \$594.7 million.

At the present time, the departments of Fire, Public Works, and Development Services currently reflect deficits for which there are available balances to transfer. A transfer of \$999,471 from Benefits and Insurances is requested as funds were appropriated herein for the wage impact of the HMEA arbitration award. In addition, Benefits and Insurances closed FY2018 with a favorable variance due to increased fringe reimbursements and lower than budgeted health expenditures and retiree payouts. The departments requiring a transfer, the transfer amount and the primary driver of the deficit are as follows:

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

Department/Account	Transfer Amount	Primary Driver of Deficit
Fire	\$ 542,797	Overtime costs net of attrition savings, due to minimum manning requirements per collective bargaining agreement. The Fire Department is currently at full staffing, including the current recruit class, and all overtime expenses in FY2019 are trending consistently within budgeted levels.
Public Works	\$ 234,448	HMEA arbitration award, which provided retroactive wage increases after the development of the FY2018 budget. Wage reserve funds were budgeted in Benefits and Insurances due to the timing of award issuance.
Development Services	\$ 222,226	HMEA arbitration award, which provided retroactive wage increases after the development of the FY2018 budget. Wage reserve funds were budgeted in Benefits and Insurances due to the timing of award issuance.

The above noted transfers will not impact the net \$200,000 surplus as projected. Council approval of the above noted transfers is requested no later than the December 10th Council meeting to meet auditor requirements and ensure that the City is able to issue the Comprehensive Annual Financial Report (CAFR) as statutorily required by December 31, 2018. City staff are available to assist you in your review of this matter.

Respectfully submitted,



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, October 22, 2018

WHEREAS, The Fire, Public Works, and Development Services Departments have incurred expenditure overruns in Fiscal Year 2018; and

WHEREAS, In accordance with Chapter X Section 7(a) of the City of Hartford Charter, the Mayor has recommended the transfer of \$999,471 within the General fund to cover these projected overruns; and

WHEREAS, Funds are projected to be available in the unencumbered appropriation balances in the Fiscal Year 2018 General Fund Budget in Benefits and Insurances and other General Fund departments for transfer to the departments noted above; now, therefore, be it

RESOLVED, That the Mayor is hereby authorized to make the following transfers in the FY 2018 General Fund Budget:

Transfer \$999,471 from Benefits & Insurances and any other General Fund Departmental appropriations with available unencumbered appropriation balances,
Transfer \$542,797 to Fire,
Transfer \$234,448 to Public Works, and
Transfer \$222,226 to Development Services.



Luke A. Bronin
Mayor

ITEM# 7 ON AGENDA

October 22, 2018

Honorable Glendowlyn L.H. Thames, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Public Health Emergency Preparedness Grant

Dear Council President Thames:

Attached for your consideration is a resolution authorizing the Mayor to accept a grant of up to \$85,673 from the Capitol Region Council of Governments through the Emergency Public Health Emergency Preparedness Program for the period July 1, 2018 through June 30, 2019.

The City of Hartford, through its Health and Human Services Department, has, for many years, received this annual grant in order to undertake local public health emergency preparedness activities in accordance with Public Health Emergency Preparedness Program Fiscal Assistance, CT DPH.

The Health and Human Services Department collaborates with the CT Department of Public Health and its Health Care Coalition (HCC) and the Capitol Region Council of Governments to carry out a number of emergency preparedness activities, including the 24/7 coverage plan, Health Care Coalition development, HCC Response Plan development, characterization of probable risk and populations at risk, education and training, drills (exercises and real events), emergency operations coordination and communication, strengthening of countermeasures, and managing access to and administration of pharmaceutical and non-pharmaceutical interventions.

These grant funds will pay the salary and the fringe benefits of the emergency preparedness program staff coordinator and the cost of program supplies and materials which are included in the Department of Health and Human Services FY2019 Budget. No matching funds are required.

Respectfully submitted,

A handwritten signature of Luke A. Bronin, consisting of stylized initials and a surname.

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, October 22, 2018

WHEREAS, The Capitol Region Council of Governments (CRCOG) has awarded, to the City of Hartford, through its Health and Human Services Department (HHS), a Grant of \$85,673 through the Public Health Emergency Preparedness Program for the period July 1, 2018 through June 30, 2019; and

WHEREAS, The City has received this grant annually for many years and has collaborated with the CT State Public Health Department and the Health Care Coalition (HCC) to implement public health emergency preparedness activities including evaluation of probable risks and population at risk, response plan development, education and training drills, and emergency operations coordination and communication; and

WHEREAS, The acceptance of these funds will pay the salary and the fringe benefits of the Emergency Preparedness Program staff coordinator and the cost of program supplies, which are included in the Department of Health and Human Services FY2019 Budget; now, therefore, be it

RESOLVED, That the Mayor is hereby authorized to accept a grant of \$85,673 from CRCOG for public health emergency preparedness, 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 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.

Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



Planning, Economic Development, and Housing Committee

John Q. Gale, Chair

Wildaliz Bermudez

Larry Deutsch

Glendowlyn L. H. Thames

James Sanchez

Maly D. Rosado

Glendowlyn L. H. Thames, Council President
James Sánchez, Majority Leader
John Q. Gale, Assistant Majority Leader
Wildaliz Bermúdez, Minority Leader

Thomas J. Clarke II, Councilman
Larry Deutsch, Councilman
Claudine Fox, Councilwoman
Maly D. Rosado, Councilwoman
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

REPORT

October 22, 2018

Honorable Glendowlyn L. H. Thames, Council President
City of Hartford
550 Main Street, Room 208
Hartford, CT 06103

Dear Members of the Court of Common Council:

The Planning, Economic Development and Housing Committee meeting of the Court of Common Council of the City of Hartford met on October 2, 2018 at 5:30 pm in Council Chambers. Present were John Q. Gale, Chair, Glendowlyn L. H. Thames, Council President, Councilwoman Wildalez Bermudez and Councilman Larry Deutsch.

The following action was taken:

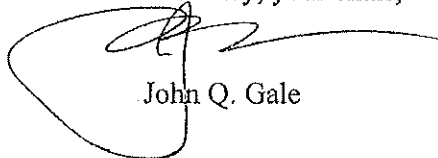
Motion by Councilwoman Bermudez and seconded by Councilman Deutsch to postpone the following item to the next regularly scheduled meeting of the Committee:

RESOLUTION THAT DECLARES CITY POLICY THAT ALL PROJECTS FOR RESIDENTIAL OR MIXED-USE DEVELOPMENT IN HARTFORD WHICH RECEIVE MUNICIPAL TAX CREDITS, LOANS, TAX FIXING AGREEMENTS (TFA), OR OTHER TAXPAYER-SUPPORTED INCENTIVES ALSO PROVIDE FOR; A MINIMUM 20% AFFORDABLE HOUSING, CITY'S LIVING WAGE PROVISIONS AND A COMMUNITY BENEFITS AGREEMENT. (COUNCILMAN DEUTSCH) (ITEM #26 ON AGENDA of September 10, 2018)

Vote 4-0 in favor of motion taken as follows:

Gale	- yes
Thames	- yes
Bermudez	- yes
Deutsch	- yes
Rosado	- absent
Sanchez	- absent

Sincerely, your chair,

A handwritten signature in black ink, appearing to be 'John Q. Gale', with a large, sweeping loop on the left side and a horizontal line extending to the right.

John Q. Gale

Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



Glendowlyn L. H. Thames, Council President
James Sánchez, Majority Leader
John Q. Gale, Assistant Majority Leader
Wildaliz Bermúdez, Minority Leader

Thomas J. Clarke II, Councilman
Larry Deutsch, Councilman
Claudine Fox, Councilwoman
Maly D. Rosado, Councilwoman
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

October 22, 2018

Honorable Glendowlyn L. H Thames, Council President and City Council Members
550 Main Street room 208
Hartford, Connecticut 06103

Dear Council President and City Council Members:

The Health and Human Services Committee along with the Operations Management, Budget and Government Accountability Committee and the Labor, Education, Workforce and Youth Development Committee held a special joint committee meeting on Monday, October 15, 2018 at 5:30 pm in the Council Chambers.

The following were present:

Health and Human Services Committee Chair Larry Deutsch, Councilwoman Claudine Fox, Councilman James Sánchez, OMBGA Committee Co-Chairwoman Glendowlyn L. H. Thames, Co-Chairman Thomas J. Clarke II, Majority Leader James Sánchez, Minority Leader Wildaliz Bermudez Councilwoman Maly Rosado, LEWYD Committee Chair Councilwoman rJo Winch.

Item for discussion:

RESOLUTION REQUESTING THAT THE ADMINISTRATION PROMPTLY PRODUCE INDEPENDENTLY-CALCULATED DETAILS SHOWING COMPREHENSIVE AND COMPLETE COSTS FOR EMPLOYEES, THEIR FAMILIES AND ALSO AN ANALYSIS OF HDHP/HSA PLANS AND/OR UNJUSTIFIED INCREASES IN PAYCHECK DEDUCTIONS FOR HEALTH INSURANCE, THROUGH NEW OR RENEWED CONTRACTUAL TERMS OR THROUGH ADMINISTRATIVE IMPOSITION. (COUNCILMAN DEUTSCH) (COUNCILWOMAN FOX) (MINORITY LEADER BERMUDEZ) (COUNCILWOMAN WINCH) (ITEM #16 ON AGENDA)

After a brief discussion, a motion was made by Councilwoman rJo Winch and Seconded by Councilwoman Fox to amend the resolution before the committee.

Vote taken: 3-0 in favor

Committee Chair Larry Deutsch- Yes
Councilwoman rJo Winch -Yes

Councilwoman Claudine Fox- Yes

The following amendment was made:

RESOLVED, That Administration within 30 days after passage promptly produce independently-calculated details showing comprehensive and complete costs for employees, their families, and the city treasury, as specified above; and...

Respectfully submitted by

A handwritten signature in cursive script, appearing to read "Larry Deutsch", followed by a small circular mark.

Larry Deutsch, MD, MPH
Chairman of Health and Human Services Committee
Hartford Court of Common Council

INTRODUCED BY
Councilperson Larry Deutsch
Councilperson Claudine Fox
Minority Leader, Wildaliz Bermudez
Councilperson, rJo Winch

COURT OF COMMON COUNCIL
October 9, 2018

WHEREAS, many city employees have imposed upon them increases in total health care costs through:

- a. shift to High Deductible Health Plans for several bargaining (contract) units with high initial out-of-pocket expenses to individuals or families which some cannot afford, or
- b. offer to continue traditional (PPO or other) insurance plans with drastic weekly premium increases which have not been justified by the administration with documentation and data calculating and justifying such increases, and

WHEREAS, information for city employees has not provided certain details such as:

1. revenue to the city from weekly paycheck deductions;
2. payment by the city [self-insured] for medical, behavioral, and pharmaceutical health services received by employees or their families;
3. administrative expenses for
 - a. the city;
 - b. CIGNA [as an Administrative Services Organization, ASO] with profit and costs to administer these plans on behalf of City;
 - c. comprehensive independent analysis for added expense and suffering for individuals and families when health care is deferred, delayed, or avoided due to unaffordable high out-of-pocket [OOP] charges; and

WHEREAS, these changes in employee benefits have been imposed through bargaining unit contracts under threat of bankruptcy alternatives and,

WHEREAS, finally, research in health care services and economics have found that these HDHP/HSA plans provide advantages for people in higher disposable income and tax bracket levels but disadvantages for most individuals and families with average or low income including most city employees, therefore be it

RESOLVED, that Administration promptly produce independently-calculated details showing comprehensive and complete costs for employees, their families, and the city treasury, as specified above, and

RESOLVED, there be further analysis of HDHP/HSA plans and/or unjustified increases in paycheck deductions for health insurance, through new or renewed contractual terms or through administrative imposition.

Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



Glendowlyn L. H. Thames, Council President
James Sánchez, Majority Leader
John Q. Gale, Assistant Majority Leader
Wildaliz Bermúdez, Minority Leader

Report

Thomas J. Clarke II, Councilman
Larry Deutsch, Councilman
Claudine Fox, Councilwoman
Maly D. Rosado, Councilwoman
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

October 22, 2018

Honorable Glendowlyn L.H. Thames, Council President &
Members of the Court of Common Council
City of Hartford
550 Main Street, Suite 208
Hartford, Ct 06103

Dear Council President and Members of the Court of Common Council:

The Labor, Education, Workforce, & Youth Development Committee (along with Health & Human Services and the Operations Management, Budget and Government Accountability Committee's) held a special joint meeting on Monday, October 15, 2018, at 5:30 p.m. in the Council Chambers to discuss the following:

Present: Chairwoman Winch, Councilman Deutsch, Councilwoman Fox, and Majority Leader Sanchez.

Meeting Agenda:

- I. Call to order at 6:55 p.m.
- II. Referred Item:

1. **RESOLUTION REQUESTING THAT THE ADMINISTRATION PROMPTLY PRODUCE INDEPENDENTLY-CALCULATED DETAILS SHOWING COMPREHENSIVE AND COMPLETE COSTS FOR EMPLOYEES, THEIR**

FAMILIES AND ALSO AN ANALYSIS OF HDHP/HSA PLANS AND/OR UNJUSTIFIED INCREASES IN PAYCHECK DEDUCTIONS FOR HEALTH INSURANCE, THROUGH NEW OR RENEWED CONTRACTUAL TERMS OR THROUGH ADMINISTRATIVE IMPOSITION. (COUNCILMAN DEUTSCH) (COUNCILWOMAN FOX) (MINORITY LEADER BERMUDEZ) (COUNCILWOMAN WINCH) (ITEM #16 ON THE 10/9/18 AGENDA)

- Motion made by Councilman Deutsch (Second: Councilwoman Fox) to approve the amended resolution from the Health & Human Services Committee Meeting.
- Roll Call Vote:
4 – Yes; 0 – No; 0 – Abstain
Motion Carries.

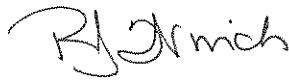
The Labor, Education, Workforce, & Youth Development Committee recessed at 7:01 p.m.

The Labor, Education, Workforce, & Youth Development Committee was called back to order at 7:12 p.m.

- Motion made by Councilman Deutsch (Second: Councilwoman Fox) to approve the amended resolution from the Operations Management, Budget and Government Accountability Committee Meeting.
- Roll Call Vote:
4 – Yes; 0 – No; 0 – Abstain
Motion Carries.

Adjournment at 7:13 p.m.

Respectfully Submitted,



Councilwoman rJo Winch
Chair of the Labor, Education, Workforce, & Youth Development Committee

INTRODUCED BY
Councilperson Larry Deutsch
Councilperson Claudine Fox
Minority Leader, Wildaliz Bermudez
Councilperson, rJo Winch

COURT OF COMMON COUNCIL
October 9, 2018

WHEREAS, many city employees have imposed upon them increases in total health care costs through:

- a. shift to High Deductible Health Plans for several bargaining (contract) units with high initial out-of-pocket expenses to individuals or families which some cannot afford, or
- b. offer to continue traditional (PPO or other) insurance plans with drastic weekly premium increases which have not been justified by the administration with documentation and data calculating and justifying such increases, and

WHEREAS, information for city employees has not provided certain details such as:

1. revenue to the city from weekly paycheck deductions;
2. payment by the city [self-insured] for medical, behavioral, and pharmaceutical health services received by employees or their families;
3. administrative expenses for
 - a. the city;
 - b. CIGNA [as an Administrative Services Organization, ASO] with profit and costs to administer these plans on behalf of City;
 - c. comprehensive independent analysis for added expense and suffering for individuals and families when health care is deferred, delayed, or avoided due to unaffordable high out-of-pocket [OOP] charges; and

WHEREAS, these changes in employee benefits have been imposed through bargaining unit contracts under threat of bankruptcy alternatives and,

WHEREAS, finally, research in health care services and economics have found that these HDHP/HSA plans provide advantages for people in higher disposable income and tax bracket levels but disadvantages for most individuals and families with average or low income including most city employees, therefore be it

RESOLVED, that Administration promptly produce independently-calculated details showing comprehensive and complete costs for employees, their families, and the city treasury, as specified above, and

RESOLVED, there be further analysis of HDHP/HSA plans and/or unjustified increases in paycheck deductions for health insurance, through new or renewed contractual terms or through administrative imposition.

Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



Glendowlyn L. H. Thames, Council President
James Sánchez, Majority Leader
John Q. Gale, Assistant Majority Leader
Wildaliz Bermúdez, Minority Leader

Thomas J. Clarke II, Councilman
Larry Deutsch, Councilman
Claudine Fox, Councilwoman
Maly Rosado, Councilwoman
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

Report

October 22, 2018

Honorable Glendowlyn L. H. Thames, Council President
City of Hartford
550 Main Street, Room 208
Hartford, CT 06103

Dear Members of the Court of Common Council:

The Operations, Management, Budget, and Government Accountability Committee held a meeting on October 15, 2018 at 5:30pm in Council Chambers to discuss the following referred item as reflected on the committee agenda.

Item #5

Resolution requesting that the administration promptly produce independently-calculated details showing comprehensive and complete costs for employees, their families and also an analysis of HDHP/HSA plans and/or unjustified increases in paycheck deductions for health insurance, through new or renewed contractual terms or through administrative imposition (Councilman Deutsch) (Councilwoman Fox) (Minority Leader Bermudez) (Councilwoman Winch).

The following were present: Committee Co-Chairwoman Glendowlyn L. H. Thames, Co-Chairman Thomas J. Clarke II, Majority Leader James Sánchez, Minority Leader Wildaliz Bermudez, Councilwoman Maly Rosado, non-committee council members, Councilwoman rJo Winch, Councilman Larry Deutsch and Councilwoman Claudine Fox.

Also present were, Sixto Lazu, Senior Administrative Assistant, Town Clerk's Office, Tonja D. Nelson Program Supervisor, Department of Development Services Division of Housing, Nicholas Casparino, Civil Engineer for the City of Hartford, Carlos Valinho, President of Park Broad Inc. LLC., Charlie Adams, Regional Vice President Pennrose LLC, Sanford Cloud Jr., Managing Member, The Cloud Company LLC. and other concerned citizens.

Larry Deutsch, Councilman explained the resolution concerning the shift to High Deductible Health Plans (HDHP)/ Health Saving Accounts (HAS) Plan for several bargaining (contract) units with high initial out-of-pocket expenses to individuals or families. In addition, an amendment to the original (first "Resolved") resolution by Health and Human Services Committee (HHS) was shared with the OMBGA committee (see below).

RESOLVED, That Administration within 30 days after passage promptly produce independently-calculated details showing comprehensive and complete costs for employees, their families, and the city treasury, as specified above; and

A discussion ensued amongst OMBGA committee members, regarding the changes to the original resolution.

A motion was made by Councilman Thomas J. Clarke II and seconded by Majority Leader James Sánchez to accept the amended resolution from the Health and Human Services Committee.

Vote Taken: (5-0-0 Absent- Pass)

Co-Chairwoman Thames: Yes

Co-Chairman Clarke II: Yes

Councilman Sánchez: Yes

Councilwoman Bermúdez: Yes

Councilwoman Rosado: Yes

A discussion ensued amongst OMBGA committee members, as a result a vote was made to amend the HHS amended resolution.

A motion was made by Councilwoman Maly Rosado and seconded by Majority Leader James Sánchez to amend the HHS amended resolution.

Vote Taken: (5-0-0 Absent- Pass)

Co-Chairwoman Thames: Yes

Co-Chairman Clarke II: Yes

Councilman Sánchez: Yes

Councilwoman Bermúdez: Yes

Councilwoman Rosado: Yes

A lengthy discussion ensued amongst OMBGA committee members, as a result an additional amendment was made to the HHS amended resolution as follows:

RESOLVED, That Administration within 30 days after passage promptly produce independently-calculated details showing comprehensive and complete costs for employees, their families, and city treasury. In addition, an analysis of the impact on

various salary ranges and an ongoing evaluation of full implementation of actual cost as specified above.

A motion was made by Councilman Thomas J. Clarke II and seconded by Majority Leader James Sánchez to pass the resolution as amended by the OMBGA committee and to send this item to full Council with a favorable recommendation.

Vote Taken: (5-0-0 Absent- Pass)

Co-Chairwoman Thames: Yes

Co-Chairman Clarke II: Yes

Councilman Sánchez: Yes

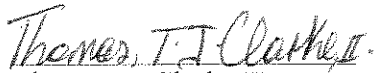
Councilwoman Bermúdez: Yes

Councilwoman Rosado: Yes

Respectfully Submitted,



Glendowlyn L. H. Thames
Co-Chairwoman of OMBGA



Thomas J. Clarke II
Co-Chairman of OMBGA

INTRODUCED BY
Councilperson Larry Deutsch
Councilperson Claudine Fox
Minority Leader, Wildaliz Bermudez
Councilperson, rJo Winch

COURT OF COMMON COUNCIL
October 9, 2018

WHEREAS, many city employees have imposed upon them increases in total health care costs through:

- a. shift to High Deductible Health Plans for several bargaining (contract) units with high initial out-of-pocket expenses to individuals or families which some cannot afford, or
- b. offer to continue traditional (PPO or other) insurance plans with drastic weekly premium increases which have not been justified by the administration with documentation and data calculating and justifying such increases, and

WHEREAS, information for city employees has not provided certain details such as:

1. revenue to the city from weekly paycheck deductions;
2. payment by the city [self-insured] for medical, behavioral, and pharmaceutical health services received by employees or their families;
3. administrative expenses for
 - a. the city;
 - b. CIGNA [as an Administrative Services Organization, ASO] with profit and costs to administer these plans on behalf of City;
 - c. comprehensive independent analysis for added expense and suffering for individuals and families when health care is deferred, delayed, or avoided due to unaffordable high out-of-pocket [OOP] charges; and

WHEREAS, these changes in employee benefits have been imposed through bargaining unit contracts under threat of bankruptcy alternatives and,

WHEREAS, finally, research in health care services and economics have found that these HDHP/HSA plans provide advantages for people in higher disposable income and tax bracket levels but disadvantages for most individuals and families with average or low income including most city employees, therefore be it

RESOLVED, that Administration promptly produce independently-calculated details showing comprehensive and complete costs for employees, their families, and the city treasury, as specified above, and

RESOLVED, there be further analysis of HDHP/HSA plans and/or unjustified increases in paycheck deductions for health insurance, through new or renewed contractual terms or through administrative imposition.

Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



Glendowlyn L. H. Thames, Council President
James Sánchez, Majority Leader
John Q. Gale, Assistant Majority Leader
Wildaliz Bermúdez, Minority Leader

Thomas J. Clarke II, Councilman
Larry Deutsch, Councilman
Claudine Fox, Councilwoman
Maly Rosado, Councilwoman
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

Report

October 22, 2018

Honorable Glendowlyn L. H. Thames, Council President
City of Hartford
550 Main Street, Room 208
Hartford, CT 06103

Dear Members of the Court of Common Council:

The Operations, Management, Budget, and Government Accountability Committee held a meeting on October 15, 2018 at 5:30pm in Council Chambers to discuss the following referred item as reflected on the committee agenda.

Item #2

Communication from Mayor Bronin with accompanying resolution authorizing the City to enter into a 15-year tax abatement with Westbrook I Housing LLC

The following were present: Committee Co-Chairwoman Glendowlyn L. H. Thames, Co-Chairman Thomas J. Clarke II, Majority Leader James Sánchez, Minority Leader Wildaliz Bermudez Councilwoman Maly Rosado, non-committee council members, Councilwoman rJo Winch, Councilman Larry Deutsch and Councilwoman Claudine Fox.

Also present were, Sixto Lazu, Senior Administrative Assistant, Town Clerk's Office, Tonja D. Nelson Program Supervisor, Department of Development Services Division of Housing, Nicholas Casparino, Civil Engineer for the City of Hartford, Carlos Valinho, President of Park Broad Inc.

LLC., Charlie Adams, Regional Vice President, Pennrose LLC, Sanford Cloud Jr., Managing Member, The Cloud Company LLC. and other concerned citizens.

Tonja D. Nelson Program Supervisor, Department of Development Services Division of Housing, Sanford Cloud Jr., Managing Member, The Cloud Company LLC and Charlie Adams, Regional Vice President, Pennrose LLC explained the resolution concerning the authorization for the City of Hartford to enter into a 15-year tax abatement agreement with Westbrook I Housing, LLC for rental housing units to be developed at 22 Mark Twain Drive, officially known as 1550 Albany Ave. which has been approved by the City's Tax Abatement Committee meeting of June 6, 2018 that includes the following:

1. The term of the Agreement shall not exceed fifteen (15) years from the date of issuance of either the first temporary certificate of occupancy (TCO) or a permanent certificate of occupancy (CO), whichever is earlier issued on the property.
2. Owner will pay prorated real estate tax in any fiscal year on any improvements for which a TCO or CO is issued during the construction phase.
3. Owner will make annual tax payments on the 60 affordable units according to the following schedule:
 - Year 1 \$40,500 (\$675.00/affordable unit)
 - Year 2 \$43,500 (\$725.00/affordable unit)
 - Year 3 \$46,500 (\$775.00/affordable unit)
 - Years 4-15 \$48,000.00 (\$800.00/affordable unit)
4. Owner will pay full taxes (estimated at \$2,606.05 per unit per year) on the 15 market rate units.
5. After year 4, the unabated taxes shall be subject to a 2% increase per unit per year in each year the City upwardly adjusts the Grand Levy (e.g., the amount of revenue raised by property taxes in a fiscal year), with the 2% increases being effective July 1st of each year as applicable. In years 11 through 15, any increases in the unabated taxes resulting from an increase in the Grand Levy will become permanent and cumulative.
6. During the term of the abatement, all 60 units are to remain affordable as prescribed by the Low Income Housing Tax Credit Program. In the absence of a Deed or Mortgage Instrument defining affordability, the City of Hartford will determine affordability utilizing an established, transparent methodology
7. Owner shall comply with all applicable laws, regulations, ordinances and codes of the United States, the State of Connecticut and the City of Hartford in the operation and management of the Premises.
8. The Agreement shall be non-assignable and non-transferable without written consent of the Mayor of the City of Hartford.

9. Notwithstanding anything to the contrary in the Agreement, City agrees that the Agreement shall automatically transfer and inure to the benefit of any party succeeding to the interest of the Owner under this Agreement. as a result of a foreclosure of a mortgage encumbering the Property or a transfer in lieu of foreclosure or realizing on a pledge or security interest of the equity interests in such Owner (including, without limitation, replacement of the managing member of such Owner), and if such transferee is a bank or other financial institution, such rights shall automatically transfer and inure to the benefit of any party immediately succeeding to the interest of such bank or other financial institution.
10. Upon any future sale or refinance, during the term of the abatement, payment shall be made to the City of 10% of the net sales proceeds, or equity recapture, not to exceed the total of abated taxes.
11. During construction, Developer will comply with Article XII, Section 2-680 of the Hartford Municipal Code, Hartford Affirmative Action Plan / Equal Employment Opportunity which requires a developer to set aside 15% of the total construction project cost for certified Minority & Women Business Enterprises, will assure no less than 15% of total project work hours by trade will be worked by minority and or women trade workers, and will assure that no less than 30% of total project work hours will be worked by Hartford Residents.
12. In the case of default, the City of Hartford shall retain the right to cancel the Agreement and its remedy shall include the payment of abated taxes.

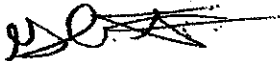
A lengthy discussion ensued amongst OMBGA committee members, Tonja D. Nelson Program Supervisor, Department of Development Services Division of Housing, Sanford Cloud Jr., Managing Member, The Cloud Company LLC and Charlie Adams, Regional Vice President, Pennrose LLC regarding the terms of the agreement, market rates, homeownership and relocation of families.

A motion was made by Majority Leader James Sánchez and seconded by Councilman Thomas J. Clarke II to send this item to full Council with a favorable recommendation.


Vote Taken: (4-0-0-1 Absent- Recused- Pass)

Co-Chairwoman Thames: Yes
Co-Chairman Clarke II: Yes
Councilman Sánchez: Yes
Councilwoman Bermúdez: Yes
Councilwoman Rosado: Recused

Respectfully Submitted,



Glendowlyn L. H. Thames
Co-Chairwoman of OMBGA



Thomas J. Clarke II
Co-Chairman of OMBGA



Luke A. Bronin
Mayor

September 24, 2018

Honorable Glendowlyn L.H. Thames, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Westbrook Housing Tax Abatement

Dear Council President Thames:

Attached for your consideration is a resolution authorizing the City of Hartford to enter into a 15-year tax abatement agreement with Westbrook I Housing, LLC for rental housing units to be developed at 22 Mark Twain Drive, officially known as 1550 Albany Ave. The developer of project is Pennrose Properties, LLC. The City's Tax Abatement Committee approved the abatement and its terms at their meeting of June 6, 2018.

Westbrook I Housing, LLC has entered into a 65-year lease agreement with the Housing Authority of the City of Hartford (HACH) for redevelopment of a 4.94-acre parcel of the 39.5-acre site currently known as Westbrook Village. Upon completion, Westbrook Housing, Phase I will consist of 75 rental apartments, 60 affordable units and 15 market rate units, providing a unit mix of flats and townhouse apartments in a variety of 1, 2, and 3 bedroom units. Phase I will also include a playground and resident meeting space. The total development budget is \$27,245,907 with a construction budget of \$19,860,977. Construction will commence in 2019 and be completed in late 2020. Westbrook I Housing, LLC has committed to set aside 15% of the total construction project cost for certified Minority & Women Business Enterprises, has assured that no less than 15% of total project work hours by trade will be worked by minority and or women trade workers and has assured that no less than 30% of total project work hours will be worked by Hartford residents.

Because the lease between the HACH and Westbrook I Housing, LLC is more than 50 years in length, the improvements are taxable. Annual property taxes on all units are estimated at \$195,453.75 or \$2,606.05 per unit. The 15 market rate units are excluded from the abatement and will be subject to full taxes. Staff has recommended and the developer has agreed to the following tax payment schedule for the 60 affordable units:

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

Year 1 annual tax payment of \$40,500 (\$675/affordable unit)
Year 2 annual tax payment of \$43,500 (\$725/affordable unit)
Year 3 annual tax payment of \$46,500 (\$775/affordable unit)
Year 4-15 annual tax payment of \$48,000 (\$800/affordable unit).

The unabated taxes will be subject to a 2% increase per unit per year for any year the City upwardly adjusts the Grand Levy (e.g., the amount of revenue raised by property taxes in a fiscal year), with the 2% increases being effective July 1st of each year as applicable. Increases in the unabated taxes in years 11 through 15, due to an increase in the Grand Levy, will become permanent and cumulative.

The tiered payment schedule in years 1-4 ensures that the developer can meet the debt service coverage ratio requirements of the Low Income Housing Tax Credit Program, which the developer is utilizing to keep rents affordable to households at 25%, 50% and 80% of the Area Median Income. Currently, this parcel does not and has not generated taxable income for many years as a result of ownership. The new development assisted by the abatement represents an opportunity for the City to grow the Grand List while providing the project with the financial stability it needs to operate the affordable housing units. Staff of the Development Service Department is available to assist you in your review of this project.

Respectfully submitted,



Luke A. Bronin
Mayor

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, September 24, 2018

WHEREAS, Westbrook Housing Phase I, is a proposed 4.94 -acre development which will include a total of 75 residential units consisting of 60 affordable units and 15 market rate units on a parcel of land owned by the Hartford Housing Authority of the City of Hartford (HACH) located at 22 Mark Twain Drive, officially known as 1550 Albany Avenue, (the "Property"),

WHEREAS, The developer of the project is Pennrose, LLC (Developer) and the owner of the residential project will be Westbrook I Housing, LLC (Owner); and

WHEREAS, Owner proposes to lease the Property from the HACH for a term of 65 years, making the Property taxable; and

WHEREAS, Owner has submitted an application for a tax abatement which documents the need for tax relief and the Tax Abatement Committee has recommended such an agreement; now, therefore, be it

RESOLVED, That the Mayor is hereby authorized to enter into a Tax Abatement Agreement (Agreement) with Westbrook I Housing LLC for the Property, subject to the following conditions:

1. The term of the Agreement shall not exceed fifteen (15) years from the date of issuance of either the first temporary certificate of occupancy (TCO) or a permanent certificate of occupancy (CO), whichever is earlier issued on the property.
2. Owner will pay prorated real estate tax in any fiscal year on any improvements for which a TCO or CO is issued during the construction phase.
3. Owner will make annual tax payments on the 60 affordable units according to the following schedule:
 - Year 1 \$40,500 (\$675.00/affordable unit)
 - Year 2 \$43,500 (\$725.00/affordable unit)
 - Year 3 \$46,500 (\$775.00/affordable unit)
 - Years 4-15 \$48,000.00 (\$800.00/affordable unit)
4. Owner will pay full taxes (estimated at \$2,606.05 per unit per year) on the 15 market rate units.
5. After year 4, the unabated taxes shall be subject to a 2% increase per unit per year in each year the City upwardly adjusts the Grand Levy (e.g., the amount of revenue raised by property taxes in a fiscal year), with the 2% increases being effective July 1st of each year as applicable. In years 11 through 15, any increases in the unabated taxes resulting from an increase in the Grand Levy will become permanent and cumulative.

6. During the term of the abatement, all 60 units are to remain affordable as prescribed by the Low Income Housing Tax Credit Program. In the absence of a Deed or Mortgage Instrument defining affordability, the City of Hartford will determine affordability utilizing an established, transparent methodology
7. Owner shall comply with all applicable laws, regulations, ordinances and codes of the United States, the State of Connecticut and the City of Hartford in the operation and management of the Premises.
8. The Agreement shall be non-assignable and non-transferable without written consent of the Mayor of the City of Hartford.
9. Notwithstanding anything to the contrary in the Agreement, City agrees that the Agreement shall automatically transfer and inure to the benefit of any party succeeding to the interest of the Owner under this Agreement. as a result of a foreclosure of a mortgage encumbering the Property or a transfer in lieu of foreclosure or realizing on a pledge or security interest of the equity interests in such Owner (including, without limitation, replacement of the managing member of such Owner), and if such transferee is a bank or other financial institution, such rights shall automatically transfer and inure to the benefit of any party immediately succeeding to the interest of such bank or other financial institution.
10. Upon any future sale or refinance, during the term of the abatement, payment shall be made to the City of 10% of the net sales proceeds, or equity recapture, not to exceed the total of abated taxes.
11. During construction, Developer will comply with Article XII, Section 2-680 of the Hartford Municipal Code, Hartford Affirmative Action Plan / Equal Employment Opportunity which requires a developer to set aside 15% of the total construction project cost for certified Minority & Women Business Enterprises, will assure no less than 15% of total project work hours by trade will be worked by minority and or women trade workers, and will assure that no less than 30% of total project work hours will be worked by Hartford Residents.
12. In the case of default, the City of Hartford shall retain the right to cancel the Agreement and its remedy shall include the payment of abated taxes.

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 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 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.

Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



Glendowlyn L. H. Thames, Council President
James Sánchez, Majority Leader
John Q. Gale, Assistant Majority Leader
Wildaliz Bermúdez, Minority Leader

Thomas J. Clarke II, Councilman
Larry Deutsch, Councilman
Claudine Fox, Councilwoman
Maly Rosado, Councilwoman
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

Report

October 22, 2018

Honorable Glendowlyn L. H. Thames, Council President
City of Hartford
550 Main Street, Room 208
Hartford, CT 06103

Dear Members of the Court of Common Council:

The Operations, Management, Budget, and Government Accountability Committee held a meeting on October 15, 2018 at 5:30pm in Council Chambers to discuss the following referred item as reflected on the committee agenda.

Item #3

Communication from Mayor Bronin with accompanying resolution authorizing the City to grant three temporary construction easements and one permanent drainage easement across certain City-owned land to the State of Connecticut Department of Transportation to complete State highway project 63-703

The following were present: Committee Co-Chairwoman Glendowlyn L. H. Thames, Co-Chairman Thomas J. Clarke II, Majority Leader James Sánchez, Minority Leader Wildaliz Bermudez Councilwoman Maly Rosado, non-committee council members, Councilwoman rJo Winch, Councilman Larry Deutsch and Councilwoman Claudine Fox.

Also present were, Sixto Lazu, Senior Administrative Assistant, Town Clerk's Office, Tonja D. Nelson Program Supervisor, Department of Development Services Division of Housing, Nicholas Casparino, Civil Engineer for the City of Hartford, Carlos Valinho, President of Park Broad Inc. LLC., Charlie Adams, Regional Vice President Pennrose LLC, Sanford Cloud Jr., Managing Member, The Cloud Company LLC. and other concerned citizens.

Nicholas Casparino, Civil Engineer for the City of Hartford, explained the resolution concerning the authorization to grant three temporary construction easements located at 100 Columbus Blvd, 10 Reserve Road and 80 Reserve Road. The permanent drainage easement is located at 1020 Wethersfield Avenue subject to the terms and conditions upon recommendation of the City Engineer. The City will also accept \$30,100 for compensation for the grant of all three easements to the DOT.

A discussion ensued amongst OMBGA committee members and Nicholas Casparino regarding the location of the parcels.

A motion was made by Majority Leader James Sánchez and seconded by Councilman Thomas J. Clarke II to send this item to full Council with a favorable recommendation.

Vote Taken: (5-0-0 Absent- Pass)

Co-Chairwoman Thames: Yes

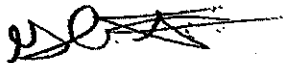
Co-Chairman Clarke II: Yes

Councilman Sánchez: Yes

Councilwoman Bermúdez: Yes

Councilwoman Rosado: Yes

Respectfully Submitted,



Glendowlyn L. H. Thames
Co-Chairwoman of OMBGA



Thomas J. Clarke II
Co-Chairman of OMBGA



Luke A. Bronin
Mayor

September 10, 2018

Honorable Glendowlyn L.H. Thames, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Easements for State DOT Project 63-703

Dear Council President Thames:

Attached for your consideration is a resolution authorizing the City to grant three temporary construction easements and one permanent drainage easement across certain City-owned land, to the State of Connecticut, Department of Transportation (DOT), to complete State highway project 63-703, known as "Relocation of I-91 Northbound Interchange 29 and Widening of I-91 Northbound and Route 15 Northbound to I-84 Eastbound Relocation".

The temporary easements will extend over property located at 100 Columbus Boulevard, 10 Reserve Road, and 80 Reserve Road and will be extinguished upon completion of the project. The permanent drainage easement will extend over property located at 1020 Wethersfield Avenue and will remain in perpetuity. As compensation for the grant of the easements, the DOT has delivered a written offer in the amount of \$30,100 based upon an appraisal prepared by a licensed real estate appraiser. The City of Hartford, Engineering Division, has reviewed the plans and proposed easements and finds the purposes and locations generally acceptable.

In accordance with Section 7-163e of the Connecticut General Statutes, please refer this item to Public Hearing and, in accordance with Connecticut General Statutes Section 8-24, please refer this resolution to the Hartford Planning & Zoning Commission.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be "LB", followed by 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 10, 2018

WHEREAS, the State of Connecticut, Department of Transportation ("DOT") is acquiring easements across certain parcels of land to make highway improvements for the state project identified as the Relocation of I-91 Northbound Interchange 29 and Widening of I-91 Northbound and Route 15 Northbound to I-84 Eastbound (the "Project"); and

WHEREAS, the DOT needs a temporary construction easement over land located at 100 Columbus Boulevard for the purpose of vehicular access to the Project, which area is approximately 45,020 square feet; and

WHEREAS, the DOT also needs a temporary construction easement over lands located at 10 Reserve Road and 80 Reserve Road for the purpose of staging equipment, tools and materials during the course of the Project, which areas are approximately 2,362 square feet and 12,102 square feet, respectively; and

WHEREAS, the temporary construction easements will be extinguished upon completion of the Project; and

WHEREAS, the DOT also needs a permanent drainage easement and an access easement over the parcel of land located at 1020 Wethersfield Avenue for the purposes of permitting the flow of water and for vehicular travel to the drainage system, which areas are approximately 4,490 square feet and 9,154 square feet, respectively; and

WHEREAS, the City of Hartford, Engineering Division, has reviewed the plans and proposed easements and finds the purposes and locations generally acceptable; and

WHEREAS, the DOT, in accordance with its standard procedures, has presented a written offer to purchase the easements from the City of Hartford for an aggregate amount of \$30,100; now, therefore, be it

RESOLVED, that the City is hereby authorized to grant to the State of Connecticut, Department of Transportation temporary access easements over three parcels of land located at 100 Columbus Blvd, 10 Reserve Road, and 80 Reserve Road and a permanent drainage easement and an access easement over the parcel of land located at 1020 Wethersfield Avenue, subject to such terms and conditions as may be recommended by the City Engineer and approved by the Mayor and Corporation Counsel; and be it further

RESOLVED, that the City is hereby authorized to accept compensation in the amount of \$30,100 for the grant of all of the easements to the DOT; 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 such easements, 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, and be it further

RESOLVED, that all approvals and authorizations provided hereby are contingent upon any approvals, permits and similar authorizations that may be required from any agency having regulatory or similar authority over the proposed work including, but not limited to, as applicable, the US Army Corps of Engineers and the Greater Hartford Flood Commission.

ITEM#

ON AGENDA

Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



Glendowlyn L. H. Thames, Council President
James Sánchez, Majority Leader
John Q. Gale, Assistant Majority Leader
Wildaliz Bermúdez, Minority Leader

Thomas J. Clarke II, Councilman
Larry Deutsch, Councilman
Claudine Fox, Councilwoman
Maly D. Rosado, Councilwoman
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

Report

October 22, 2018

Honorable Glendowlyn L. H. Thames, Council President
City of Hartford
550 Main Street, Room 208
Hartford, CT 06103

Dear Members of the Court of Common Council:

The Quality of Life and Public Safety Committee held its regular scheduled meeting on October 16, 2018 at 5:30 pm in the Council Chambers to discuss the following referred item as reflected on the committee agenda.

Item #2

RESOLUTION URGING THE ADMINISTRATION TO REQUEST THE FEDERAL COURT NOT "SUNSET" THE CONSENT DECREE UNTIL THE ABOVE ISSUES SURROUNDING THE FIREARMS DISCHARGE BOARD ARE SETTLED AND TO PROVIDE AN UPDATE BY THE NEXT COUNCIL MEETING SCHEDULED FOR OCTOBER 22, 2018. (COUNCILMAN CLARKE II)

The following were present: Committee Co-Chairman Thomas James Sánchez, Co-Chairman Thomas J. Clarke, II, Councilwoman Claudine Fox (WF). Also present were, N. Feola-Gueneri

from Corporation Council, Jason Thody from HPD, Chief David Rosado from HPD and Assistant Chief Medina.

Please see attachment for the Sub-Resolution.

A motion was made by Councilman T.J. Clarke II to act on the amending language; Seconded by Councilman Sánchez.

Vote Taken (3-0. 2Absent. Pass)

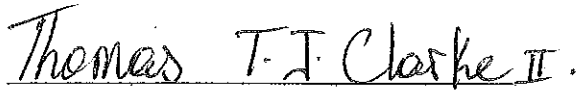
Councilman Thomas J. Clarke II: Yes
Councilman James Sánchez: Yes
Councilwoman Rjo Winch: Absent
Councilwoman Claudine Fox: Yes
Councilwoman Rosado: Absent

A motion was made by Councilman Sánchez to move item with a favorable recommendation to full council; Second by Councilman T.J. Clarke II.

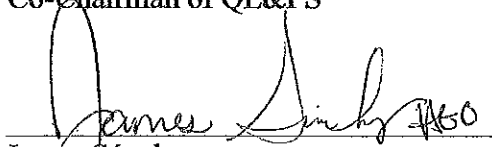
Vote Taken (3-0. 2Absent. Pass)

Councilman Thomas J. Clarke II: Yes
Councilman James Sánchez: Yes
Councilwoman Rjo Winch: Absent
Councilwoman Claudine Fox: Yes
Councilwoman Rosado: Absent

Respectfully Submitted,



Thomas J. Clarke, II
Co-Chairman of QL&PS



James Sánchez
Co-Chairman of QL&PS

INTRODUCED BY:
Councilman Thomas J. Clarke II
Sponsor By: Councilman James Sánchez

COURT OF COMMON COUNCIL
City of Hartford October 22, 2018

SUBSTITUTE RESOLUTION

WHEREAS, There were riots for consecutive years between City residents and the Hartford Police Department between 1966 to 1969; and

WHEREAS, In 1969 three (3) individuals and four (4) organizations filed federal discrimination suit against Hartford Police Chief Thomas Vaughan and five (5) others; and

WHEREAS, The plaintiffs claimed that the Hartford Police Department had conducted a campaign of violence, intimidation and humiliation against Blacks and Latinos. The lead plaintiff was Maria Cintron; and

WHEREAS, In 1973 the plaintiffs and the City of Hartford reached a settlement / consent decree establishing a police code of conduct include:

- a) Written procedure for the internal review of complaints against Hartford Police Officers; and
- b) That City of Hartford Police Officers avoid using profane and derogatory terms; and

WHEREAS, The residents of Hartford call for the City to revisit the Consent Decree; and

WHEREAS, The plaintiffs now assert that the Hartford Police Department has violated the Consent Decree in its failure to:

- a) Have an independent review of the police firing weapons;
- b) Have the Firearms Discharge Board meet monthly;
- c) Have Hartford Chief of Police name 3 individuals to voting positions on the Firearms Discharge Board from a list of 6 provided by the plaintiffs;
- d) Have Hartford Police Department notify or reach agreement with the plaintiffs on it switching service revolver;
- e) Prepare Hartford residents to enter the Hartford Police Department as Police Officers; now, therefore, be it

RESOLVED, The Court of Common Council request The Administration to provide an update by the next council meeting scheduled for November 12, 2018.

Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



Glendowlyn L. H. Thames, Council President
James Sánchez, Majority Leader
John Q. Gale, Assistant Majority Leader
Wildaliz Bermúdez, Minority Leader

Thomas J. Clarke II, Councilman
Larry Deutsch, Councilman
Claudine Fox, Councilwoman
Maly D. Rosado, Councilwoman
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

Report

October 22, 2018

Honorable Glendowlyn L. H. Thames, Council President
City of Hartford
550 Main Street, Room 208
Hartford, CT 06103

Dear Members of the Court of Common Council:

The Quality of Life and Public Safety Committee held its regular scheduled meeting on October 16, 2018 at 5:30 pm in the Council Chambers to discuss the following referred item as reflected on the committee agenda.

Item #1

COMMUNICATION FROM MAYOR BRONIN, WITH ACCOMPANYING RESOLUTION CONCERNING AUTHORIZATION TO ACCEPT FUNDS FROM THE CONNECTICUT OFFICE OF POLICY AND MANAGEMENT FOR THE HARTFORD ALTERNATIVE TO ARREST PROGRAM (HAAP).

The following were present: Committee Co-Chairman Thomas J. Clarke, II, Co-Chairman James Sánchez, Councilwoman Claudine Fox (WF). Also present were, N. Feola-Gueneri from Corporation Council, Jason Thody from HPD, Chief David Rosado from HPD and Assistant Chief Medina from HPD.

Majority Leader Sánchez raised some questions to what exactly the program does with the residents.

A motion was made by Councilman T.J. Clarke II to move item with a favorable recommendation to full council; Second by Councilman Sánchez.

Vote Taken (3-0. 2Absent. Pass)

Councilman Thomas J. Clarke II: Yes

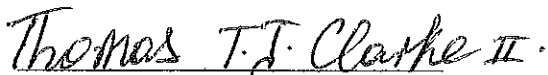
Councilman James Sánchez: Yes

Councilwoman Rjo Winch: Absent

Councilwoman Claudine Fox: Yes

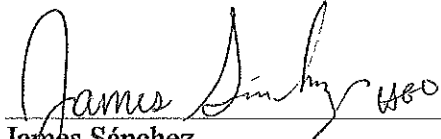
Councilwoman Maly Rosado: Absent

Respectfully Submitted,



Thomas J. Clarke, II

Co-Chairman of QL&PS



James Sánchez

Co-Chairman of QL&PS



Luke A. Bronin
Mayor

September 24, 2018

Honorable Glendowlyn L.H. Thames, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Hartford Alternative to Arrest Program (HAAP)

Dear Council President Thames:

Attached for your consideration is a resolution authorizing the Mayor to accept \$30,000 from the Connecticut Office of Policy and Management (OPM) for the Hartford Alternative to Arrest Program (HAAP).

In 2015, the MacArthur Foundation issued its "Safety and Justice Challenge" with the goals of safely reducing the number of individuals held in jail, reducing the length of stay in jail detention, and creating reforms that eliminate racial disparities in the criminal justice system. The City of Hartford was selected by OPM to participate in the Challenge and the planning process resulted in the development of the Hartford Alternative to Arrest Program (HASP).

HAAP is a collaboration between the Hartford Police Department, the CT Department of Mental Health and Addiction Services, local businesses, and community stakeholders. HAAP is a community policing strategy that deflects low-risk/high-need individuals from custodial arrest and connects them with community-based mental health care, addiction treatment, and social services. The initial phase of HAAP is concentrated in neighborhoods that have historically experienced high custodial arrest rates: Barry Square, South Green, and Frog Hollow. HAAP utilizes peer engagement specialists to work directly with individuals to complete a needs assessment and engages those individuals to voluntarily participate in community treatment and services. The goal for HAAP is to deflect 800 individuals in the three neighborhoods listed above over the next two years.

The grant award will be used for professional services to provide data extraction and collection services as well as four cell phones for personnel assigned to HAAP. This award does not have a local match requirement. Staff of the Hartford Police Department is available to assist you in your review of this matter.

Respectfully submitted,

A handwritten signature in dark 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, September 24, 2018

WHEREAS, The City of Hartford was selected by the Connecticut Office of Policy and Management (OPM) to participate in the MacArthur Foundation's Safety and Justice Challenge which seeks out and funds initiatives that will safely reduce the number of people held in jail, reduce the length of stay in jail detention, and create reforms that eliminate racial disparities in the criminal justice system; and

WHEREAS, The Hartford Police Department, in collaboration with the CT Department of Mental Health and Addiction Services and community businesses and stakeholders, developed the Hartford Alternative to Arrest Program (HAAP); and

WHEREAS, HAAP is a community policing strategy that deflects low-risk/high-needs individuals from custodial arrest and connects them with community-based mental health care, addiction treatment, and social services; and

WHEREAS, HAAP will be focused in Barry Square, South Green, and Frog Hollow, neighborhoods that have historically experienced high custodial arrest rates; and

WHEREAS, Through OPM, the MacArthur Foundation has awarded Hartford a \$30,000 grant for implementation of HAAP and the award will be used for professional services to provide data extraction and collection services as well as four cell phones for personnel assigned to HAAP; now, therefore, be it

RESOLVED, That the Court of Common Council authorizes the City to accept the MacArthur Foundation grant of \$30,000 to be used for implementation of HAAP as described above; 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 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.

Court of Common Council

CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103



Glendowlyn L. H. Thames, Council President
James Sánchez, Majority Leader
John Q. Gale, Assistant Majority Leader
Wildaliz Bermúdez, Minority Leader

Thomas J. Clarke II, Councilman
Larry Deutsch, Councilman
Claudine Fox, Councilwoman
Maly D. Rosado, Councilwoman
Jo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

Report

October 22, 2018

Honorable Glendowlyn L. H. Thames, Council President
City of Hartford
550 Main Street, Room 208
Hartford, CT 06103

Dear Members of the Court of Common Council:

The Quality of Life and Public Safety Committee held its regular scheduled meeting on October 16, 2018 at 5:30 pm in the Council Chambers to discuss the following referred item as reflected on the committee agenda.

Item #3

RESOLUTION REQUESTING ANOTHER RECRUITMENT, RETENTION AND PROMOTION PLAN WITH SPECIAL EMPHASIS ON MINORITIES AND HARTFORD RESIDENTS AND INCLUDE THE CURRENT STAFFING LEVELS WHICH INCLUDES RANK, YEARS OF SERVICE, SALARIES AND RACE FROM THE HARTFORD POLICE DEPARTMENT

The following were present: Committee Co-Chairman Thomas J. Clarke, II, Co-Chairman Sánchez, Councilwoman Claudine Fox (WF). Also present were, N. Feola-Gueneri from Corporation Council, Jason Thody from HPD, Chief David Rosado from HPD and Assistant Chief Medina from HPD.

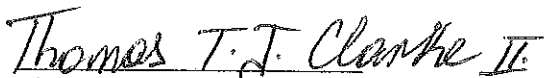
Councilman T.J. Clarke II asked questions regarding Non-Civil Service. Councilwoman Fox ask if there is a demographic break down done on ranks. Thody answers that there is and, it's updated frequently by every hire and by every retire.

A motion was made by Councilman T.J. Clarke II to move item with a favorable recommendation to full council; Second by Majority Leader Sánchez.

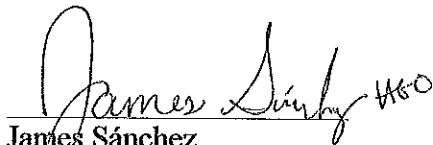
Vote Taken (3-0. 2Absent. Pass)

Councilman Thomas J. Clarke II: Yes
Councilman James Sánchez: Yes
Councilwoman Rjo Winch: Absent
Councilwoman Claudine Fox: Yes
Councilwoman Maly Rosado: Absent

Respectfully Submitted,



Thomas J. Clarke, II
Co-Chairman of QL&PS



James Sánchez
Co-Chairman of QL&PS

INTRODUCED BY:
Councilman Thomas J. Clarke II

COURT OF COMMON COUNCIL
City of Hartford, October 8, 2018.

WHEREAS, The City of Hartford's majority population is predominantly made up of black and brown individuals; and

WHEREAS, The City of Hartford's Police Department should mirror the population that it protects and serve; and

WHEREAS, The City's recent Hartford Police Department's promotion ceremony was not an adequate depiction of the City's demographic make up; be it

RESOLVED, The Court of Common Council request another recruitment, retention and promotion plan from The Hartford Police Department; and be it further

RESOLVED, The report should be detailed with special emphasis on Minorities and Hartford residents and include the current staffing levels which includes rank, years of service, salaries and race.



ITEM# 17 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,

A handwritten signature in dark ink, appearing to be "Luke A. 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

SUBSTITUTE

Introduced by: Mayor Luke A. Bronin

HEADING AND PURPOSE

AN ORDINANCE AMENDING CHAPTER 2A - PENSIONS, SECTION 2A-5 AND CREATING NEW SECTIONS 2A-45, 2A-46, AND 2A-47 OF THE HARTFORD MUNICIPAL CODE

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

September 11, 2017

Be It Hereby Ordained by the Court of Common Council of the City of Hartford that Chapter 2A, Section 2A-5 of the Municipal Code of Hartford be amended as follows and that Sections 2A-45, 2A-46 and 2A-47 be added 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

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, who are members of the fund.
 - 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, but before September 11, 2017, who are members of the fund.
 - 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, who shall not be eligible to be members of the fund.
 - 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:
- a. Is, or was, eligible to participate in the fund;
 - b. Has in fact participated in the fund by satisfying applicable employee contributions; and
 - c. 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.

(18) " 401(a) Plan Participants " shall refer to all Post-2017 NBU-GG employees who elect to contribute to the City's 401(a) plan, pursuant to Section 2A-46.

NEW) Section 2A-45. -- Section 401(a) Plan Established

There is hereby established a City of Hartford Section 401(a) Defined Contribution Plan ("401(a) Plan"). Post-2017 NBU-GG employees are not eligible to be members of the MERF, but may, upon hire, elect to participate in the City's 401(a) plan.

(NEW) Section 2A-46. -- Contributions

- (a) Internal Revenue Code Section 414(h) Pick-up Contributions. The 401(a) Plan will contain a pick-up contribution provision as defined under section 414(h) of the Internal Revenue Code subject to and in accordance with the terms set forth in this subsection. The purpose of this provision is to enable pick-up 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 to the extent permitted by the Internal Revenue Code. The pick-up contributions of those members who are expressly identified as "401(a) Plan Participants" shall be governed by subsections (a) and (b) of this section.

- a. Post-2017 NBU-GG employees shall elect, within thirty days of the date of hire whether to:
 - a. make a one-time irrevocable election to not participate in the 401(a) Plan; or
 - b. elect for the City to make pick-up contributions in an amount which must be a

minimum of three percent (3.0%) of the 401(a) Plan Participant's base rate of pay ("Pay"). The election to participate and the percentage amount of pick-up contributions, if applicable, is irrevocable and cannot thereafter be changed during the term of that individual's employment as a NBU-GG employee.

b. The city shall pick up and deposit to the 401(a) Plan all 401(a) Plan Participants' pick-up contributions, as elected by the 401(a) Plan Participant, in accordance with paragraph (i) of this subsection. Nothing herein shall relieve any 401(a) Plan Participant from any obligation to make pick-up contributions to the 401(a) Plan, it being the intent and effect hereof instead, that the city shall deposit each 401(a) plan participant's pick-up contributions to the 401(a) Plan in lieu of such employee making such contributions.

c. In consideration of the city picking up such pick-up contributions, 401(a) Plan Participants shall have their Pay reduced by an amount equal to the contributions so picked up by the city.

(b) City Contributions. The city shall pay on into the designated account, on an annual basis, an amount equal to the proportion of pay contributed by each 401(a) Plan Participant, provided that the city contribution shall not exceed seven percent (7.0%) of the base rate of pay the 401(a) Plan Participant.

(NEW) Section 2A-47. -- Vesting

(a) A 401(a) Plan Participant's rights to and/or interests in the city contributions, as set forth in Section 2A-46 (b), vest upon completion of the following schedule of continuous years of service, regardless of age:

<u>Year one (1):</u>	<u>zero percent (0.0%)</u>
<u>Year two (2):</u>	<u>twenty percent (20.0%)</u>
<u>Year three (3):</u>	<u>fifty percent (50.0%)</u>
<u>Year four (4):</u>	<u>eighty percent (80.0%)</u>
<u>Year five (5):</u>	<u>one hundred percent (100.0%)</u>

This ordinance shall take effect upon adoption.

INTRODUCED BY:
Councilman James Sanchez

COURT OF COMMON COUNCIL
City of Hartford, April 23, 2018

WHEREAS, The City has recently accepted funds from the Connecticut Department of Economic and Community Development (DECD). These funds have been allocated to the Police Department's Capital City Crime Center (C4). A portion of these funds will allow the C4 to purchase two (2) unmanned aircraft systems (drones) that will be used to limit police pursuits, assist police in apprehending fleeing criminals, and provide both surveillance and traffic calming measures for large scale events such as, but not limited to, parades, marathons, and festivals; and

WHEREAS, Drones will help decrease City liability by reducing the need for police vehicles to be involved in police pursuits. Drones will also be capable of following ATVs and dirt bikes so that location information can be provided to officers in the area once the vehicle(s) have stopped and the operators can be detained safely; now, therefore, be it

RESOLVED, That not later than ninety days after the Court of Common Council of the City of Hartford's approval of this resolution, the Hartford Police Department shall adopt and maintain a written policy that shall be consistent with both Federal and State of Connecticut statutes, protections afforded under the United States Constitution and State of Connecticut Constitution, relevant case law, and National best practices. Such policy shall be designed to protect citizens' civil rights and their right to privacy. In the interest of transparency, this policy will be posted on the Police Department's web site for public viewing; and be it further

RESOLVED, That not later than ninety days after the Court of Common Council of the City of Hartford's adoption of this resolution, the Hartford Police Department shall promulgate an unmanned aerial vehicle incident report form, which shall include, but not be limited to: the flight time; the reason for the flight, the time, date, and location of the flight; the name of the supervisor approving the deployment as well as the staff assigned to the deployment; and a summary of the activities covered, actions taken, and outcomes from the deployment; and be it further

RESOLVED, That not later than January thirty-first of each year, the Hartford Police Department shall prepare an annual report summarizing the information contained in each unmanned aerial vehicle incident report form. This annual report shall be available not later than January thirty-first of each year; and be it further

RESOLVED, That the Court of Common Council approves the regulations governing the use of unmanned aerial vehicles by the Hartford Police Department in accordance with the processes recommended by this resolution.

Introduced
by:

Councilman Thomas J. Clarke II

HEADING
AND
PURPOSE

AN ORDINANCE AMENDING CHAPTER 2, SECTION 850 OF THE
HARTFORD MUNICIPAL CODE

COUNCIL,

COURT OF COMMON

CITY OF HARTFORD

Date July 9, 2018

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

That Chapter Two, Article VIII of the Municipal Code be amended by changing Section 2-850 as follows:

Sec. 2-850. - Residency requirements.

(A) All council and Mayor appointees and Unclassified Employees employed by the City, shall maintain a continuous residence in the City during the period of such appointment or employment.

This section shall not apply to new employees or appointees during the first six (6) months of such employment or appointment. If such individual ceases to be a bona fide resident of the City once the residency has been established or fails to become a bona fide resident within six (6) months of the appointment or employment, the Council shall, by a vote of seven (7) members, send notice to the mayor that pursuant to the provisions of Chapter V, section 3(c) of the Hartford Charter, the office or position of the individual who has failed to remain a bona fide resident of Hartford shall thereupon become vacant, and such appointment or employment shall terminate.

(B) Definitions.

"Bona fide resident" is defined as [(1) An employee] a person who has a [Hartford] mailing address which is a street address in Hartford, not [. A] a post office address; [does not qualify as a bona fide Hartford address;] is. [(2) Be] a registered Hartford voter; and [(3) I]if the [employee] person owns a motor vehicle, has registered said motor vehicle [must be registered] at an address in the City of Hartford.

"Residence" is defined as the actual principal residence of the person, where he or she normally and usually eats and sleeps and maintains his or her normal personal household effects.

[(B)]C) The provisions of subsections (A) and (B) above shall not apply to individuals who were employees and appointees at the time of the effective date of this section.

(D) The Department of Human Resources shall be responsible for determining and verifying the residence of employees.

This ordinance shall take effect upon adoption.

by:

THOMAS J. CLARKE II, COUNCILMAN

ITEM#

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ON AGENDA

HEADING
AND
PURPOSE

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE VI, DIVISION 4,
SECTION 2-352¹ OF THE HARTFORD MUNICIPAL CODE

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

February 13, 2018

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

That Chapter 2, Article VI, Division 4, Section 2-352, of the Municipal Code of the City of Hartford be amended as follows:

Sec. 2-352. - Compensation for nonunion and unclassified executive service classification.

(A) That there be a new nonunion and unclassified executive service, including elected officials, classification and compensation plan that is authorized under City Charter Chapters IV, V, and VII and new nonunion compensation plan for specified administrative series and public safety series classifications.

(B) The classification and compensation plans have been developed to expand the salary structure and ranges to accommodate future increments that may be necessary to recognize accomplishment, growth, recruitment and/or retainment of qualified individual for these positions.

(C) The compensation plan has been expanded to include four (4) additional classifications: Chief information officer, director of emergency services and telecommunications, director of families, children, youth, and recreation and the City Treasurer.

(D) Effective July 1, 2018, the positions of Fire Chief, Police Chief and City Treasurer shall be paid the same annual rate of pay, which rate shall be fixed and included in the annual budget as approved by the Court of Common Council.

Ordinance shall take effect upon adoption.

HEADING
AND
PURPOSE

Minority Leader Wildaliz Bermudez

AN ORDINANCE AMENDING CHAPTER 29 OF THE HARTFORD MUNICIPAL CODE.

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

January 22, 2018

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

That Chapter 29, Article I of the Municipal Code of the city of Hartford be amended, adding Section 29-18, as follows:

Section 29-18. Use of unmanned aerial vehicles by the Hartford department of police.

- (a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section:

Law enforcement officer means a member of the Hartford department of police, as described in section 29-1.

Unmanned aerial vehicle means any contrivance used or designed for navigation of or flight in air that is power-driven and operated without the possibility of direct human intervention from within or on the contrivance.

- (b) Except as provided in subsections (c) and (d) of this act or otherwise provided by law, no person, except a person performing his or her duties as a law enforcement officer, shall operate or use any computer software or other technology, including, but not limited to, an unmanned aerial vehicle, that allows a person, when not physically present, to release tear gas or any like or similar deleterious agent or to remotely control a deadly weapon, as defined in Chapter 950 Sec. 53a-3 of the general statutes, or an explosive or incendiary device, as defined in Chapter 943 Sec. 53-206b of the general statutes. Any person who violates this subsection may be issued a municipal citation. A person who is issued a citation shall be subject to a fine of one thousand dollars (\$ 1,000). Any person issued a citation for violating this subsection may within ten (10) days of receipt of the citation, appeal in writing to a citation hearing officer in accordance with section 1-5. This subsection shall be enforced by the Hartford chief of police.
- (c) No person who, as part of his or her duties as a law enforcement officer, operates an unmanned aerial vehicle, shall operate any such vehicle if such vehicle is equipped with tear gas or any like or similar deleterious agent or a deadly weapon, as defined in Chapter 950 Sec. 53a-3 of the Connecticut General Statutes, including, but not limited to, any explosive or incendiary device, as defined in Chapter 943 Sec. 53-206b of the Connecticut General Statutes. The provisions of this subsection shall not apply to a person who, as part of his or her duties as a law enforcement officer, operates an unmanned aerial vehicle that is equipped with explosive detection, detonation or disposal equipment, provided such law enforcement officer is authorized by the federal or state government to detect, detonate and dispose of explosives and is engaged in

such detection, detonation or disposal.

(d) No law enforcement officer shall operate an unmanned aerial vehicle, unless:

(1) A judge of the Superior Court or judge trial referee has issued a warrant in accordance with Chapter 959 Sec. 54-33a of the Connecticut General Statutes authorizing the use of an unmanned aerial vehicle;

(2) The individual who will be the subject of the information collected by the operation of an unmanned aerial vehicle has given advance written consent to such operation, provided such individual is on property that is not owned or operated by a governmental entity that is open for public use, including, but not limited to, parks, streets or sidewalks;

(3) The owner of the property that will be the subject of the information collected by the operation of an unmanned aerial vehicle has given advance written consent to such operation;

(4) The law enforcement officer has probable cause to believe that a criminal offense has been, is being or will be committed and exigent circumstances exist that make it unreasonable for the law enforcement officer to obtain a warrant authorizing the use of an unmanned aerial vehicle;

(5) The operation is pursuant to training activities conducted by the law enforcement officer while on land owned or leased by the federal or state government and does not occur in an area that is substantially populated; or

(6) The operation is used to reconstruct or document a specific crime or accident scene.

(e) An individual or privately owned property shall be considered to be the subject of information collected by the operation of an unmanned aerial vehicle if the information allows the identity of the person or the privately owned property to be ascertained or if the law enforcement officer operating the unmanned aerial vehicle acknowledges such individual or such property was the subject of the information.

(f) Information that was collected through the operation of an unmanned aerial vehicle that concerns an individual or privately owned property that was the subject of a warrant may be retained pursuant to the warrant.

(g) Information that was collected through the operation of an unmanned aerial vehicle pursuant to subdivision (2) or (3) of subsection (d) of this section that concerns an individual or privately owned property may be retained pursuant to the terms specified in such advance written consent.

(h) (1) Information that was collected through the operation of an unmanned aerial vehicle pursuant to subdivision (4), (5) or (6) of subsection (d) of this section that concerns an individual or privately owned property shall be reviewed by the Hartford department of police not later than thirty days from the date of collection. The collected information shall be destroyed or modified pursuant to subdivision (2) of this subsection or retained pursuant to subdivision (3) of this subsection.

(2) If such information allows the identity of an individual or privately owned property to be ascertained and there is no probable cause to believe that an offense was committed by the individual or on the property, the Hartford department of police (A) shall destroy such information not later than forty-eight hours after such review, or (B) shall permanently modify such information so that the identity of such individual or such property cannot be ascertained, and, after such modification, may retain the modified information for a period of not more than five years from the date of

collection and, after such retention, shall destroy the modified information.

(3) If such information allows the identity of an individual or privately owned property to be ascertained and there is probable cause to believe that an offense was committed by the individual or on the property, the Hartford department of police may retain such information for a period of not more than five years from the date of collection and, after such retention, shall destroy such information, except that, if a warrant is issued in accordance with Chapter 959 Sec. 54-33a of the Connecticut General Statutes of the general statutes based in part on such information, such information may be retained pursuant to the warrant.

(4) No information subject to the provisions of this subsection that is not destroyed, modified or retained in accordance with subdivision (2) or (3) of this subsection, shall be admitted into evidence or otherwise considered by any court or agency, body or committee of this state or any political subdivision thereof.

(i) (1) Not later than ninety days after the Court of Common Council of the City of Hartford's adoption of this section, the Hartford department of police shall adopt and maintain a written policy that meets or exceeds the policies set forth in this section.

(2) Not later than ninety days after the Court of Common Council of the City of Hartford's adoption of this section, the Hartford department of police shall promulgate an unmanned aerial vehicle incident report form, which shall include, but not be limited to, the collection of the following data: (1) The date the unmanned aerial vehicle was operated, (2) the type of such operation as categorized in the policy adopted pursuant to subsection (i) of this section, (3) the zip code or zip codes where the unmanned aerial vehicle was operated, (4) whether the unmanned aerial vehicle was operated pursuant to a warrant, (5) whether a property owner gave advance written consent to such operation, (6) whether the type of information collected through the operation of the unmanned aerial vehicle provided reasonable and articulable suspicion that a criminal offense was being committed, and (7) whether an arrest or arrests were made. The unmanned aerial vehicle incident report shall be completed each time an unmanned aerial vehicle is used by a law enforcement officer.

(j) Not later than January thirty-first of each year, the Hartford department of police shall prepare a report that includes, but need not be limited to: (1) The number of times the Hartford department of police operated an unmanned aerial vehicle in the preceding calendar year, (2) the type of such operation as categorized in the policy adopted pursuant to subsection (i) of this section, (3) the zip code or zip codes where the unmanned aerial vehicle was operated, (4) whether the unmanned aerial vehicle was operated pursuant to a warrant, (5) whether a property owner gave advance written consent to such operation, (6) the number of times the type of information collected through the operation of an unmanned aerial vehicle provided reasonable and articulable suspicion that a criminal offense was being committed, and (7) the number of times an arrest was made during or after the operation of an unmanned aerial vehicle in direct response to the operation of an unmanned aerial vehicle by a law enforcement officer. The Hartford department of police shall make such report available on the Hartford department of police's Internet web site not later than January thirty-first of each year.

(k) The Hartford department of police shall make any application to acquire surveillance technology, including, but not limited to, unmanned aerial vehicles, or to acquire funds to purchase surveillance technology, including but not limited to, unmanned aerial vehicles, available for review by the Court of Common Council of the City of Hartford and the public no less than thirty days prior to a public hearing on such application.

Such applications shall include, but not be limited to, applications to acquire surveillance technology from the program authorized by Section 1033 of the National Defense Authorization Act of 1997, and for funds under the Edward Byrne Memorial Justice Assistance Grant program to acquire surveillance technology. The Court of Common Council of the City of Hartford shall hold such public hearing not fewer than thirty days prior to the department's submission of the application and shall provide legal notice, published at least once not less than two weeks prior to such hearing in a newspaper having general circulation in the City of Hartford, of such hearing. Approval of the application by the Court of Common Council of the City of Hartford is required prior to submission of the application.

Ordinance shall take effect upon adoption.

ITEM# 22 ON AGENDA

INTRODUCED BY:

Assistant Majority Leader John Q. Gale

COURT OF COMMON COUNCIL

City of Hartford, January 9, 2017

WHEREAS, John L. "Jack" Dollard (1929 — 2012), an architect, artist, and activist in Hartford for more than four decades, was a driving force behind many improvements to the City of Hartford; and,

WHEREAS, one of Mr. Dollard's great accomplishments was bringing the carousel to Bushnell Park and designing the building in which the carousel sits; and,

WHEREAS, the carousel continues to attract thousands of people from the City and the region, of all ages, races, and nationalities, together in downtown Hartford; and,

WHEREAS, the City of Hartford wishes to honor Mr. Dollard's memory and his unique achievement by naming the pavilion that adjoins the carousel building "The Dollard Pavilion"; and,

WHEREAS, this proposal has been approved by the directors of the Bushnell Park Foundation and the New England Carousel Museum, which together maintain and operate the carousel; and,

WHEREAS, the cost to create and maintain a commemorative plaque in the pavilion honoring Mr. Dollard shall be borne by private monies and kept in a fund managed by the Bushnell Park Foundation, such that the city incurs no financial liability in the naming, now and in perpetuity; and,

WHEREAS, the Hartford Department of Public Works shall provide final review and give final approval of the commemorative plaque and any signage in the city-owned building; now, be it

RESOLVED, that the pavilion which adjoins the carousel in Bushnell Park shall hereafter be officially known as The Dollard Pavilion in honor of this outstanding citizen.

Introduced by: Councilman Larry Deutsch
Sponsored by: Minority Leader Wildaliz Bermúdez
Councilman Thomas J. Clarke II
Councilwoman Claudine Fox
Councilman John Q. Gale
Majority Leader James Sánchez

**HEADING
AND
PURPOSE**

AN ORDINANCE AMENDING CHAPTER IV, SECTION 17-87 – 17-101 OF THE
HARTFORD MUNICIPAL CODE

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

September 24, 2018

Be It Hereby Ordained by the Court of Common Council of the City of Hartford that Chapter 4, section 17-87 -17-101, of the Municipal Code of the City of Hartford is hereby amended to include the following ordinance:

Sec.17-87. An Ordinance raising minimum age for sale and distribution of tobacco/nicotine products

Sec. 17-88. - Purpose

Tobacco use is the foremost preventable cause of premature death in the United States, responsible for more than half a million deaths per year in the United States and costing the nation approximately \$300 billion in healthcare and lost worker productivity costs each year; and

- (1) About ninety-five percent (95%) of all adult smokers began smoking before age twenty-one (21), and adolescence is a critical period when smokers move from experimental smoking to addictive, daily use;
- (2) There is strong evidence that those who begin smoking at an early age are more likely to develop a severe addiction to nicotine than those who start at a later age;
- (3) Electronic nicotine delivery system use among adolescents has recently tripled, and use of these systems are associated with and clearly encourage the use of conventional tobacco products;
- (4) Raising the minimum legal sale and distribution age for all tobacco products to twenty-one (21) reduces access to these products by youth, as teens often acquire such products

from social networks, including older friends: the vast majority of those providing nicotine and tobacco products for youth 17 and under are themselves between eighteen (18) and twenty (20) years old and are able to purchase legally.

- (5) Select findings from the 2017 Connecticut School Health Survey, known nationally as the Youth Tobacco Survey (YTS), reflect over one-third of Connecticut high school students (nearly 59,000) report having ever tried some form of tobacco, and current tobacco use is reported at 17.9%.
- (6) The YTS survey shows the vast majority of youth are using flavored tobacco products, e-cigarettes and vaping devices, and although cigarette smoking has decreased among Connecticut youth, the use of electronic cigarettes and vaping devices continues to increase at an alarming rate, with current use reported at 14.7%, and shows usage increasing with age. Studies have shown that this type of nicotine use by teens increases their risk of also using combustible tobacco.
- (7) When asked how they accessed these products, the majority of youth surveyed (59.3%) reported they obtained their e-cigarettes from a friend.
- (8) The Connecticut Department of Revenue Services lists 240 licensed tobacco retailers within Hartford city limits, a density that, based on the population of Hartford, is 1.5 times higher than the U.S. density rate. The list of retailers does not include all the retailers who may sell vape products exclusively and not tobacco, so this density is likely higher. Greater density and higher numbers of tobacco retailers have been associated with higher rates of smoking among youth.

The Institute of Medicine predicted in a 2015 report that raising the minimum legal sales age for tobacco products to 21 nationwide will have a substantial positive impact on public health and provide long-term declines in smoking rates by reducing tobacco initiation among adolescents aged 15 to 17 by twenty-five percent (25%) and overall prevalence of tobacco use by twelve percent (12%). This report also projects that 4.2 million young people alive today would be protected from premature death related to tobacco use as a result of raising the minimum legal sales age for tobacco products to 21.

Sec. 17-89. - Definitions

For the purpose of this title, the following definitions shall apply:

Tobacco product means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. *Tobacco product* also means electronic smoking devices, including any device that can be used to deliver aerosolized or vaporized nicotine or any other substance to the person inhaling from the device, and any component or accessory used in the consumption of a tobacco product, such as filters,

rolling papers, pipes, e-cigarettes, e-cigars, e-pipes, vape pens, e-hookahs and liquids used in electronic smoking devices, whether or not they contain nicotine. Tobacco product does not include drugs, devices, or combination products authorized for sale as proven cessation products by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

Sale or sell means selling, giving, bartering, exchanging, delivering, or otherwise distributing tobacco products, unless the person is delivering or accepting delivery in such person's capacity as an employee. Sale or sell also includes offers to sell, barter, or exchange.

Retailer means any person or business that owns, operates, or manages any place at which tobacco products are sold. Retailer also includes any person or business that is required to purchase a dealer's license under CT Gen Stat § 12-287.

Sec. 17-90. - Licensing

Each retailer engaging in the sale of tobacco products, at each location conducting sales in the city, shall secure a license from the Hartford Department of Health and Human Services before engaging or continuing to engage in such business. An application for a license shall contain the full name of the application, the applicant's business address and telephone number, the name of the business for which the license is sought, and any additional information the city deems necessary.

Such license shall be renewed annually and valid for a period beginning with the date of license to the first day of January next succeeding the date of the license unless sooner revoked as allowed by penalties in this article, or unless the retailer to whom it was issued discontinues business, in either of which cases the holder of the license shall immediately return it to the Hartford Department of Health and Human Services. A license shall not be transferred from one retailer to another or from one location to another.

A license shall be displayed at all times and shall be exhibited to any person upon request. In the event of mutilation or destruction of such license, a duplicate copy, marked as such, shall be issued by the Hartford Department of Health and Human Services upon application accompanied by a fee set by the Hartford Department of Health and Human Services.

No license shall be issued or renewed to an establishment unless the retailer signs a city form stating that the retailer has provided training to all employees on the sale of tobacco products and such training includes information that the sale of tobacco products to a person under 21 years of age is illegal, what proof of age is legally acceptable, and that a sale to a person under 21 years of age can subject the retailer to a monetary fine.

No license shall be issued to a person under 21 years of age.

Sec. 17-91. - License Fee

The fee for a license to sell tobacco products shall be set by the Hartford Department of Health and Human Services and thereafter annually reviewed by the department and approved by the city council as a part of the budgetary process. If, for any reason, such fees for license are not approved by the city council annually, the fees for the preceding year shall continue in full force and effect until changed by city council.

The license fee should cover the administrative cost for the licensing program, retailer education and training, retail inspections and enforcement costs, including the conduct of unannounced compliance checks, but should not exceed the cost of the regulatory program authorized beyond this article.

Licensing fees are due at the time of application and are not refundable. A license cannot be renewed if the licensee has outstanding fines pursuant to this article.

Sec. 17-92. - Minimum Legal Sales Age

No retailer or retailer's agent or employee shall give, sell, or otherwise distribute any tobacco product to any person under twenty-one (21) years of age.

The person selling any tobacco product must examine the identification card issued in accordance with the provisions of CT Gen Stat § 1-1h for anyone who appears to be under the age of 30 and verify proof of age demonstrating the recipient is at least twenty-one (21) years of age before selling any tobacco product.

- (1) That a person appeared to be over the age of twenty-one (21) shall not constitute a defense to a violation of this section. If a person fails to provide such proof of age, such retailer or retailer's agent or employee shall not sell any tobacco product to the person.

Sec. 17-93. - Signage

"The Sale of Tobacco or Nicotine Products or Devices to Persons Under 21 is Prohibited" signs shall be legibly printed in letters at least one-half inch high and shall be posted clearly and conspicuously in every location where the products are available for purchase. Signage shall be in multiple languages as needed to be consistent with other facility postings.

Selling tobacco products in any place that does not have a sign posted in a conspicuous place to a person under twenty-one (21) years of age is prohibited by law and punishable consistent with this article.

Sec. 17-94. - Enforcement

- (a) This article shall be enforced by the Hartford Department of Health and Human Services or its authorized designees.
- (b) The health department, fire department, license and inspection division of development

services, or their respective designees shall, while an establishment is undergoing otherwise mandated inspections, inspect for compliance with this article.

- (c) An owner, manager, operator, or employee of an establishment regulated by this article shall inform persons violating this article of the appropriate provisions thereof.
- (d) Any citizen who desires to register a complaint under this article may initiate enforcement by the Hartford Department of Health and Human Services.
- (e) Hartford Department of Health and Human Services shall be responsible to conduct, or have conducted on its behalf, at least two under-age youth-based, unannounced compliance checks per retailer per year. Random re-inspections of all non-compliant retailers are required within three (3) months of any violation of this article.
- (f) The result of these compliance inspections shall be published on the Hartford Department of Health and Human Services website at least annually.

Sec. 17-95. - Violations and Penalties

Any retailer who violates any of the provisions in this article shall be guilty of an infraction and subject to a civil penalty fine no less than \$250 for each infraction. Each violation, and every day in which a violation occurs, shall constitute a separate and distinct infraction. The decision that a violation has occurred shall be in writing mailed or emailed to the retailer by the Hartford Department of Health and Human Services, which notice should specify the article and section with which the retailer is in violation no later than thirty (30) days from the date of the violation.

A license issued under this article may be denied, suspended, or revoked by the Hartford Department of Health and Human Services through written notice should the retailer or retailer's agent, directly or indirectly:

- (1) Sell tobacco products to any person under the age of twenty-one (21).
 - a) The license of a licensee who has sold tobacco products to persons under age twenty-one (21) on two (2) separate occasions within a three-year period shall be suspended for a minimum of seven (7) days.
 - b) The license of a licensee who has sold tobacco products to persons under age twenty-one (21) on three (3) separate occasions within a three-year period shall be suspended for a minimum of thirty (30) days.
 - c) The license of a licensee who has sold tobacco products to persons under age twenty-one (21) on four (4) separate occasions within a three-year period shall be revoked.
 - d) All tobacco products shall be removed from the premises upon suspension or revocation of a tobacco retail sales license. Failure to remove shall constitute a separate violation punishable by a fine to be set by the Hartford Department of Health and Human Services for each and every day of noncompliance.
- (2) Fail to post signage as required.

- (3) Fail to pay fines issued in accordance with this Chapter.
- (4) Have a license revoked within the preceding 12 months of the date of application.
- (5) Fail to provide required information on the application or provide false or misleading information.
- (6) Violate state or local tobacco product sales and use laws.
- (7) Conduct business in violation of this article.

All fees and fines collected from licensing and infractions of this article are to be deposited into a "Tobacco Enforcement and Education Fund" administered by the Hartford Department of Health and Human Services, to be reinvested for enforcement, community education, and efforts to improve compliance with state and local tobacco product sales and use laws.

Sec. 17-96. - Appeals

Retailers have the right to appeal civil penalties in accordance with this section. In the case of violation, the department shall provide the retailer with a written notice. The written notice shall be provided by certified mail, return receipt requested, or by hand delivery, or by email. If the notice is returned because of failure of delivery, the department shall either send the notice by certified mail to the address listed on the application, or conspicuously post the notice at an entrance of the retailer. In either case, the notice shall be deemed to have been received on the date it was mailed or posted.

The notice shall state that the retailer may obtain a hearing under this rule if a written request for a hearing is mailed or hand-delivered to the department's address specified in the notice, within ten (10) days after the affected retailer receives or is deemed to have received the notice.

Upon receiving a timely hearing request, the department shall schedule a hearing before a board or a hearing officer designated by the director. If the director provides a hearing officer, that officer shall not have participated in any manner in the decision to take the action against the retailer.

The department shall mail or hand-deliver notice of the date, time, and place of the hearing to the retailer no less than ten (10) days before the scheduled date. The department may additionally post the notice of hearing at the entrance of the retailer.

The retailer and the department each shall have one (1) opportunity to reschedule the hearing date upon specific request to the other party. Any other postponements of the hearing shall be by agreement of the department, the retailer, and the hearing officer, if one is designated.

At the hearing, the retailer shall have the opportunity to present its case orally or in writing. If the department has designated a hearing officer, a member of the department does not have to be present at the hearing.

If the hearing is before a hearing officer, he or she shall prepare a written recommendation as to the validity of the department's action, which shall rest solely on the evidence presented at

the hearing and the statutory and regulatory provisions governing the department's action. The hearing officer shall describe the basis for his or her recommendation, but need not prepare a full opinion or formal findings of fact and conclusions of law. The hearing officer shall mail by certified mail, return receipt requested, or hand-deliver the recommendation to the department and to the retailer, within ten (10) business days following the date of the hearing. Either party may file objections to the recommendation provided that the objections are received by the department within five (5) days of receiving a copy of the recommendation.

After reviewing any timely objections, the director may take additional evidence or approve, modify, or disapprove the recommendation and shall enter an order in the record of department proceedings.

If the department does not receive a timely request for hearing, the director may enter immediately an order as proposed in the notice.

Sec. 17-97. - Public Education.

The Hartford Department of Health & Human Services shall engage in a continuing public health education program to explain and clarify the purposes and requirements of this article to citizens affected by it, and to guide retailers, owners, operators, and managers in their compliance. The program may include publication of a brochure for affected retailers explaining the provisions of article and signage mandated by this article.

Sec. 17-98. - Rulemaking Authority

The Hartford Department of Health & Human Services is hereby authorized to promulgate rules and regulations to carry out the purpose and intent of this article in order to protect the public health, safety and welfare.

Sec. 17-99. - Liberal Construction

This article shall be liberally construed so as to further its purposes.

Sec. 17-100. - Severability

The provisions of this section are hereby declared severable, and if any provision, clause, sentence, or paragraph of this section or the application thereof to any person or circumstances held by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such a ruling shall not affect the other parts of this section that can be given effect.

Sec. 17-101. Effective Date

This ordinance shall take effect upon adoption, and the Hartford Department of Health and Human Services or its authorized designees shall implement the licensing, enforcement, and public education requirements within one hundred and eighty (180) days from the date of adoption.



ITEM# 24 ON AGENDA

Luke A. Bronin
Mayor

October 22, 2018

Honorable Glendowlyn L.H. Thames, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Fishing in Parks

Dear Council President Thames:

Attached for your consideration is an ordinance amending Section 26-31 of the Municipal Code of Hartford in order to expand, from two to six, the number of park ponds in which fishing is allowed.

This change was recommended by the Parks & Recreation Advisory Commission (PRAC). The PRAC's Recreation Subcommittee met with staff of the City's Recreation Division to identify ways to develop and create programs at little or no cost to the City. An idea that came out of that discussion was to hold youth/family fishing derbies. However, the Municipal Code only allows fishing in Keney and Batterson park ponds. It was determined that it would be advisable to expand the number of parks available for fishing to include Charter Oak Landing, Riverside Park, Mortensen Riverfront Plaza, and Goodwin Park.

This amendment to the Code has the support of the City's Department of Public Works and the PRAC, which approved the recommended change on April 24, 2018.

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

HEADING
AND
PURPOSE

AN ORDINANCE AMENDING CHAPTER 26, ARTICLE II, SECTION 26-31
("UNLAWFUL CONDUCT GENERALLY") OF THE MUNICIPAL CODE OF
HARTFORD

COURT OF COMMON COUNCIL
CITY OF HARTFORD

October 22, 2018

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

That Chapter 26 – Parks and Recreation, Article II – Conduct Regulated, Section 26-31 - Unlawful conduct generally - of the Municipal Code of Hartford is hereby amended to read as follows:

Sec. 26-31. – Unlawful conduct generally.

It shall be unlawful for any person to annoy other persons or to disturb the animals, birds or fish, or commit any act of nuisance in any park, except that lawful fishing in parks is permitted only at Batterson [Lake] Park Pond [and at], Waltermere Pond in Keney Park, Charter Oak Landing, Riverside Park, Mortensen Riverfront Plaza, and Goodwin Park, provided that no person fishing in Goodwin Park shall be permitted to do so while being positioned in or on any land that is within the Goodwin Park Golf Course, during the fishing season as established by the State of Connecticut for such [lake and pond] waters, and subject to the applicable hours of operation for the respective parks in which such [lake and pond] waters are situated.

This ordinance, as amended above, shall take effect upon adoption.

ITEM # 25 ON AGENDA

INTRODUCED BY:

Glendowlyn L. H. Thames, Council President

COURT OF COMMON COUNCIL

City of Hartford, October 22, 2018

RESOLVED, That James Sanchez, Majority Leader (D) be appointed to serve on the Legislative Affairs Committee of the Court of Common Council commencing October 22, 2018 and ending December 31, 2019; and be it further

RESOLVED, That Maly Rosado, Councilwoman (D) be appointed to serve on the Legislative Affairs Committee of the Court of Common Council commencing October 22, 2018 and ending December 31, 2019.

ITEM# 24 ON AGENDA

INTRODUCED BY:

Councilman Thomas Clarke, II

COURT OF COMMON COUNCIL

October 22, 2018

RESOLVED, That the Sneakers & Stiletto's Self Protection Conference be able to charge a fee of \$10 for at Parker Memorial on Saturday, October 27th for their Domestic Violence Prevention Conference.