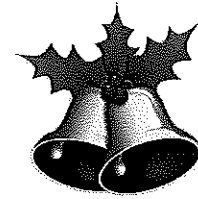


# *COURT OF COMMON COUNCIL*



**MEETING DECEMBER 9, 2019**

**7:00 P.M.**

*Happy  
Holidays*

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

**AGENDA**  
**MEETING OF THE COURT OF COMMON COUNCIL**  
**DECEMBER 9, 2019**  
**Approve Minutes November 25, 2019**

**ACTION TAKEN**

**COMMUNICATIONS**

1. MAYOR BRONIN, with accompanying resolution authorizing the city to accept grant funds from the State of Connecticut Department of Housing ("DOH") to fund the operations of the McKinney Men's Shelter.

**REPORTS**

2. PUBLIC BUILDING DEDICATION COMMITTEE, is scheduled to meet at 6:00pm on Wednesday December 4th, 2019. A full report shall be forthcoming shortly after.

**FOR ACTION**

3. Resolution with accompanying report authorizing the City of Hartford to enter into a 10-year Tax Abatement Agreement with 3236 South Limited Partnership (3236LP) to support affordable rental housing located at 32-34 and 36-38 Wethersfield Avenue, Hartford, CT 06106, known as Wethersfield Commons.
4. Resolution with accompanying report which would authorize the City of Hartford to enter into a ten-year tax assessment fixing agreement with Spartan Tower, LLC for the property located at 25 Sigourney Street. The Tax Abatement Committee approved this agreement at its October 15th Special Meeting.
5. Resolution with accompanying report confirming the appointment of Kenneth Cayones to the Hartford Commission on Disability Issues.
6. Resolution with accompanying report confirming the appointments of Josye Utick as a regular member and Jonathan Harding as an alternate member to the Planning and Zoning Commission.
7. Resolution with accompanying report authorizing the City accept a grant of \$86,547.00 from the State of Connecticut Office of Early Childhood for expansion and enhancement of the Family Child Care Provider Network.
8. Resolution with accompanying report which would authorize the City to enter into a lease agreement with New Cingular Wireless PCS, LLC for the installation of wireless devices on public structures to support their 4G Network. In an effort to further support existing AT&T cellular service across the City, New Cingular Wireless PCS, LLC has requested to utilize city owned property within the right-of-way to strengthen cell phone coverage within the City.
9. Resolution with accompanying report (PWPEC) seeking to rename Field #9 in The City's Colt Park as the "Johnny Taylor Field" and also serves as The Hartford City Council's effort to commemorate and permanently recognize one of our hometown heroes.
10. Ordinance amending Chapter Two, Article VIII Section 2-850 Residency Requirements of the Municipal Code.
11. 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.
12. Ordinance amending Chapter 2, Article II of the Municipal Code of the City of Hartford be amended, adding Section 2-48 and Section 2-49.
13. Ordinance amending Chapter 2, Article XXIII, Section 2-938 Drones of the Municipal Code.
14. Resolution with accompanying report 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.
15. Ordinance Amending Chapter. IV, Section 17-102-17-110 Sale and Distribution of Tobacco/Nicotine Products of the Hartford Municipal Code.

**RESOLUTIONS**

16. (COUNCILMAN DEUTSCH) Resolution requesting that there be priority investigation by any or all of offices of Corporation Counsel, City Council, and Internal Audit Departments concerning the fire alarm system at Weaver High School and all expenses accruing to remedy these defects and comply with current standards be borne by the general contractor or others designated in construction of this system.

**Attest:**

**John V. Bazzano**  
**City Clerk**



Luke A. Bronin  
Mayor

ITEM # 1 ON AGENDA

December 9, 2019

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: DOH Shelter Funding**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the city to accept grant funds from the State of Connecticut Department of Housing ("DOH") to fund the operations of the McKinney Men's Shelter.

This resolution authorizes the City of Hartford, Department of Health and Human Services to accept funds available from DOH, and to execute contracts and contract amendments in accordance with the grant for the period 7/1/2019 through 6/30/2021.

Accepting this grant will have no revenue or expense impact on the City's General Fund.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "LB", with a long horizontal stroke extending to the right.

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, December 9, 2019

**WHEREAS,** The City of Hartford's Department of Health and Human Services supports a shelter for men experiencing homelessness; and

**WHEREAS,** The State of Connecticut through the Department of Housing (DOH) provides funding to municipalities to fund shelter and case management services to men who are experiencing homelessness, and

**WHEREAS,** The City contracts with CRT to manage and staff the operations of the McKinney Shelter in the City of the Hartford; and

**WHEREAS,** DOH has provided to the City a grant in the amount of \$506,094 to fund the operations of the McKinney Shelter in the City of the Hartford; now, therefore, be it

**RESOLVED,** That the Court of Common Council hereby authorizes the Mayor to accept approximately \$506,094 in grant funding from the State of Connecticut DOH for the period of July 1, 2019 through June 30, 2021; and be it further

**RESOLVED,** That the Mayor is authorized to apply for and accept such further sums as may be additionally awarded by the grantor under the same program, for the same authorized contract period or any immediate extension thereof, 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 actions as he and the Corporation Council may deem appropriate and in the best interests of the City in order to receive, contract and expand the above referenced funding; 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 the 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 or by the parties executing such documents, and taking such action, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Council.



**CITY OF HARTFORD  
PUBLIC BUILDINGS DEDICATION COMMITTEE**

Luke Bronin, Mayor and Committee Chair  
Thea Montanez, Interim COO  
Glendowlyn L.H. Thames, Council President  
John Q. Gale, Assistant Majority Leader  
Wildaliz Bermudez, Minority Leader

**ITEM # 2 ON AGENDA**

**Report**

December 9, 2019

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

Dear Members of the Court of Common Council,

The Public Buildings and Dedication Committee is scheduled to meet at 6:00pm on Wednesday December 4<sup>th</sup>, 2019. A full report shall be forthcoming shortly after.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

# 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  
Moise Laurent, Councilman  
Maly D. Rosado, Councilwoman  
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

## Report

November 25, 2019

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 November 18, 2019 at 5:30pm in Council Chambers to discuss the following referred item as reflected on the committee agenda.

### Item #5

**Communication from Mayor Bronin with accompanying resolution authorizing the City of Hartford to enter into a 10-year Tax Abatement Agreement with 3236 South Limited Partnership (3236LP) to support affordable rental housing located at 32-34 and 36-38 Wethersfield Avenue, Hartford, CT 06106, known as Wethersfield Commons..**

The following were present: Committee Co-Chairwoman Glendowlyn L. H. Thames, Councilwoman Maly Rosado, non-committee members Assistant Majority Leader John Q. Gale and Councilman Larry Deutsch.

Also present were, Lisa Silvestri, Assistant Corporation Counsel, Erik Johnson, Director of Development Services, Walter Veselka, Director of Public Works, Jeff Hallin, Assistant Director of Management, Budget & Grants, Tonja D. Nelson, Program Supervisor Department of Development Services Division of Housing, Frank Dellaripa, City Engineer, Ryan Pierce, Project Manager, Strategic Initiatives Department of Management, Budget and Grants, Donna Swarr, Parks and Recreation Advisory Commission (PRAC) Elizabeth Vinick, Senior Director of Administration for Community Renewal Team (CRT), Monty Aheart, Real Estate and Facilities for CRT, William Coons, Managing Director of Opportunity Real Estate Equities (OREE), LLC, Brian Wilcox Chief Financial Officer of OREE, William Gambardella, Attorney for OREE, Annette Sanderson, Executive Director of Hartford Housing Authority, Logan Singerman, Director of Outreach for Center Church other concerned citizens.

Tonja D. Nelson, Program Supervisor Department of Development Services Division of Housing and Elizabeth Vinick, Senior Director of Administration for Community Renewal Team explained the purpose of the resolution concerning the authorization of the City of Hartford to enter into a 10-year Tax Abatement Agreement with 3236 South Limited Partnership to support affordable 12-unit rental housing located at 32-34 and 36-38 Wethersfield Avenue, Hartford, CT.

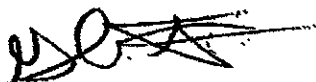
A lengthy discussion ensued amongst the OMBGA committee members Mr. Nelson and Ms. Vinick regarding housing code violations, vacancy rate, size of the units and projected capital investment in the property.

A motion was made by Councilwoman Maly Rosado and seconded by Council President Glendowlyn L. H. Thames to send this item to full Council with a favorable recommendation.

**Vote Taken: (2-0-3-Absent- 0-Recused- Pass)**

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

Respectfully Submitted,



Glendowlyn L. H. Thames  
Co-Chairwoman of OMBGA

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Thomas J. Clarke II  
Co-Chairman of OMBGA



**Luke A. Bronin**  
Mayor

October 28, 2019

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: Tax Agreement – 3236 South Limited Partnership/CRT**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the City of Hartford to enter into a 10-year Tax Abatement Agreement with 3236 South Limited Partnership (3236LP) to support affordable rental housing located at 32-34 and 36-38 Wethersfield Avenue, Hartford, CT 06106, known as Wethersfield Commons. The request for a Tax Abatement Agreement was approved by the Tax Abatement Committee during its meeting held on September 25, 2019.

3236 LP (the owner) in partnership with the Community Renewal Team of Greater Hartford (CRT), the Developer and General Partner, maintain and operate 12 units of affordable housing. To create and maintain affordability, CRT utilized Low Income Housing Tax Credit (LIHTC) equity along with government funding to rehabilitate the property in 2001. Subsequently, CRT as the developer, entered into an Extended Low-Income Housing Commitment (ELIHC) in April 2001 with Connecticut Housing Finance Authority (CHFA).

The Extended Low-Income Housing Commitment (ELIHC) mandates that the partnership maintains a rent schedule affordable to families and/or individuals earning less than or equal to 25% and 50% of the area median income until the year 2100, 81 years beyond the original 15-year LIHTC compliance period. It has been determined that the project is unable to maintain affordability without tax relief.

The owners have agreed to the following terms for the 12 affordable units:

- A ten (10) year abatement of taxes.
- Annual tax payment of 60% of the Assessed Taxes.

When executed, an abatement agreement will provide the property financial stability while it operates and maintains affordable housing units for low-income residents. Thank you for your consideration.

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 28, 2019

**WHEREAS**, Wethersfield Commons is a 12-unit rental housing development located at 32-34 and 36-38 Wethersfield Avenue, (the "Property") which is affordable to and occupied by low and moderate income residents, owned by 3236 South Limited Partnership, (the "Owner") and the Community Renewal Team of Greater Hartford (CRT) is the General Partner of such limited partnership; and

**WHEREAS**, 3236 South Limited Partnership continues to provide affordable housing for very low, low, and moderate- income persons and families; and has submitted an application for a new tax abatement which documents the need for tax relief and the Tax Abatement Committee has recommended such an agreement; and

**WHEREAS**, Assessed taxes on the property are \$27,707.20 per year based on the 2018 Grand List or \$2,308.93 per unit; now, therefore be it

**RESOLVED**, That the Mayor is authorized to enter into a Tax Abatement Agreement with 3236 South Limited Partnership for the Property, subject to the following conditions:

1. The term of the Agreement shall not exceed Ten (10) years.
2. The Agreement shall apply to tax payments due from July 1, 2019 (2018 GL) through January 1, 2029.
3. The Agreement shall require the owner to pay 60% of the assessed taxes, as determined by the City Assessor.
4. All 12 units shall remain affordable as prescribed by the Extended Low-Income Housing Commitment for the term of the Tax Abatement Agreement.
5. The Owner is to re-invest \$72,000.00, e.g. \$6,000.00 per unit, toward improvements and capital repairs over the next three (3) years – 2020 through 2023.
6. During the construction or work performed in association of the capital repairs or improvements, the Owner will comply with Article XII, Section 2-680 of the Hartford Municipal Code, Hartford Affirmative Action Plan / Equal Employment Opportunity, and shall set aside 15% of the total construction project cost for contracts with certified Minority & Women Business Enterprises, assure no less than 15% of total project work hours by trade will be worked by minority and/ or women trade workers, and no less than 30% of total project work hours to be worked by Hartford Residents.
7. Any funds raised by refinancing by the owner to meet the City's requirements to complete improvements and /or capital repairs shall be exempt from the 10% recapture requirement to the extent they are used for that purpose.
8. With the exception of the aforementioned, upon any future sale or refinance, payment shall be made to the City of 10% of the net sales proceeds, not to exceed the total of abated taxes.
9. The Tax Abatement Agreement shall not be assignable nor transferable without written consent approved by the Committee on the Abatement of Taxes and Assessment and signed by the Mayor of the City of Hartford.
10. Notwithstanding anything to the contrary in the Agreement, 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 mortgage foreclosure.
11. 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.

**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 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  
Moise Laurent, Councilman  
Maly D. Rosado, Councilwoman  
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

## Report

November 25, 2019

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 November 18, 2019 at 5:30pm in Council Chambers to discuss the following referred item as reflected on the committee agenda.

### **Item #6**

**Communication from Mayor Bronin with accompanying resolution which would authorize the City of Hartford to enter into a ten-year tax assessment fixing agreement with Spartan Tower, LLC for the property located at 25 Sigourney Street. The Tax Abatement Committee approved this agreement at its October 15th Special Meeting.**

The following were present: Committee Co-Chairwoman Glendowlyn L. H. Thames, Councilwoman Maly Rosado, non-committee members Assistant Majority Leader John Q. Gale and Councilman Larry Deutsch.

Also present were, Lisa Silvestri, Assistant Corporation Counsel, Erik Johnson, Director of Development Services, Walter Veselka, Director of Public Works, Jeff Hallin, Assistant Director of Management, Budget & Grants, Tonja D. Nelson, Program Supervisor Department of Development Services Division of Housing, Frank Dellaripa, City Engineer, Ryan Pierce, Project Manager, Strategic Initiatives Department of Management, Budget and Grants, Donna Swarr, Parks and Recreation Advisory Commission (PRAC) Elizabeth Vinick, Senior Director of Administration for Community Renewal Team (CRT), Monty Aheart, Real Estate and Facilities for CRT, William Coons, Managing Director of Opportunity Real Estate Equities (OREE), LLC, Brian Wilcox Chief Financial Officer of OREE, William Gambardella, Attorney for OREE, Annette Sanderson, Executive Director of Hartford Housing Authority, Logan Singerman, Director of Outreach for Center Church other concerned citizens.

Erik Johnson, Director of Development Services and William Coons, Managing Director of Opportunity Real Estate Equities (OREE), LLC explained the purpose of the resolution concerning the authorization of the City of Hartford to enter into a 10-year Tax Abatement Agreement with Spartan Tower, LLC for the property located at 25 Sigourney Street which is a vacant 15-story, 627,401 SF office tower with an adjacent 4-story parking garage.

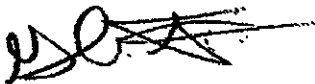
A lengthy discussion ensued amongst the OMBGA committee members, Mr. Johnson and Mr. Coons regarding bringing the property back to productive use, sustainability and community benefits.

A motion was made by Councilwoman Maly Rosado and seconded by Council President Glendowlyn L. H. Thames to send this item to full Council with no recommendation pending further discussion with the administration regarding a community benefit clause.

**Vote Taken: (2-0-3-Absent- 0-Recused- Pass)**

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

Respectfully Submitted,



Glendowlyn L. H. Thames  
Co-Chairwoman of OMBGA

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Thomas J. Clarke II  
Co-Chairman of OMBGA



Luke A. Bronin  
Mayor

October 28, 2019

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: Tax Agreement – 25 Sigourney Street**

Dear Council President Thames,

Attached for your consideration is a resolution which would authorize the City of Hartford to enter into a ten-year tax assessment fixing agreement with Spartan Tower, LLC for the property located at 25 Sigourney Street. The Tax Abatement Committee approved this agreement at its October 15<sup>th</sup> Special Meeting.

The Property consists of a 15-story office tower (627,401 SF) that has been vacant for several years and an adjacent 4-story parking garage. The Developer is in the process of acquiring the Property from the State of Connecticut, who has owned the Property since 1994. The Developer plans to redevelop the building for commercial use and either rehabilitate or demolish the parking garage at a cost of approximately \$7.5M.

As a State-owned asset, 25 Sigourney Street has been exempt from property taxes for the duration of the State's ownership. A tax assessment fixing agreement is proposed in order to ensure the Property is economically viable going forward and will provide the city revenue. The proposed tax fixing agreement would fix the assessed value of the Property such that it yields a property tax commencing with the 2019 Grand List (July 2020 and January 2021 tax bills) of \$175,000 in years 1-4, \$200,000 in years 5-7 and \$225,000 in years 8-10, resulting in \$1.975M in tax revenue over a ten year period.

Respectfully submitted,

A handwritten signature in dark 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 28, 2019

**WHEREAS**, Spartan Tower, LLC (the "Developer") is acquiring property located at 25 Sigourney Street, Hartford, CT (the "Property") from the State of Connecticut ("State") who has owned the Property since 1994; and

**WHEREAS**, The Property consists of a 15-story office tower (627,401 SF) that has been vacant for several years and an adjacent 4-story parking garage; and

**WHEREAS**, The Developer plans to redevelop the building for commercial use and either rehabilitate or demolish the parking garage at a cost of approximately \$7.5M; and

**WHEREAS**, To ensure the Property is economically viable going forward a tax assessment fixing agreement is proposed which would fix the assessed value of the Property such that it yields a property tax commencing with the 2019 Grand List (July 2020 and January 2021 tax bills) of \$175,000 in years 1-4, \$200,000 in years 5-7 and \$225,000 in years 8-10, resulting in \$1.975M in tax revenue over a ten year period; and

**WHEREAS**, Approval of the proposed tax assessment fixing agreement would result in the redevelopment of a vacant office tower, thereby returning a non-performing property to productive use. It will bring real property tax revenue to the City beyond what is currently received and generate additional personal property taxes; now therefore be it

**RESOLVED**, That the Court of Common Council hereby authorizes the Mayor to enter into a tax assessment fixing agreement with Spartan Tower, LLC; 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 agreements 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 agreements 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



## *Legislative Affairs Committee*

*John Q. Gale, Chair*

*James Sanchez*

*Maly D. Rosado*

*Larry Deutsch*

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

Thomas J. Clarke II, Councilman  
Larry Deutsch, Councilman  
Moise "Mo" Laurent, Councilman  
Maly D. Rosado, Councilwoman  
rJo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

## REPORT

November 25, 2019

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 Legislative Affairs Committee meeting of the Court of Common Council of the City of Hartford met on November 13, 2019 at 5:30 pm in Council Chambers. Present were Chair, Councilman John Q. Gale and Majority Leader, Councilman James Sanchez.

The following matter was considered:

**COMMUNICATION FROM MAYOR BRONIN, WITH ACCOMPANYING RESOLUTION CONFIRMING THE APPOINTMENT OF KENNETH CAYONES TO THE HARTFORD COMMISSION ON DISABILITY ISSUES. (ITEM 7 ON AGENDA, Meeting of October 28, 2019)**

Mr. Cayones was present and was interviewed by the Committee.

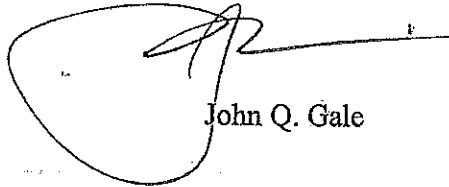
The following action was taken:

Motion by Councilman Sanchez and seconded by Councilman Gale to send their appointments Council with a *favorable* recommendation.

Vote 2-0 in favor of motion taken as follows:

|         |          |
|---------|----------|
| Gale    | - yes    |
| Sanchez | - yes    |
| Deutsch | - absent |
| Rosado  | - absent |

Your chair,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

John Q. Gale





Luke A. Bronin  
Mayor

October 28, 2019

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: Appointments to the Hartford Commission on Disability Issues**

Dear Council President Thames,

Attached for your consideration is a resolution confirming the appointment of Kenneth Cayones to the Hartford Commission on Disability Issues.

The Hartford Commission on Disability Issues works to correct deficiencies in the city which prevent persons with disabilities from functioning as full citizens. They encourage merchants and others to establish lines of communication between the city government and persons with disabilities. Finally, they provide assistance and support to the disabled community to ensure their needs are met.

Mr. Cayones currently serves as a peer specialist for Beacon Health Options where he actively works with the disabled community. He has also served as a direct care specialist with Focus Center for Autism.

His resume is attached for your review. Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

**INTRODUCED BY:**  
Luke A. Bronin, Mayor

**COURT OF COMMON COUNCIL**  
City of Hartford, October 28, 2019

**WHEREAS,** The Hartford Commission on Disability Issues reviews any city, state and federal regulations which affect persons with disabilities and provides advice and assistance to the disability's community in the City of Hartford; and

**WHEREAS,** The Commission is composed of fifteen members who shall serve a term designated by the Mayor per Sec. 2-279 of the city ordinance; and

**WHEREAS,** The Mayor has appointed Kenneth Cayones to the Hartford Commission on Disability Issues; now, therefore be it

**RESOLVED,** That the Court of Common Council hereby confirms the following appointments:

Kenneth Cayones (D)  
30 Babcock Street, Hartford CT, 06106  
For a term to expire October 28, 2021

# Court of Common Council

CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103



## *Legislative Affairs Committee*

*John Q. Gale, Chair*

*James Sanchez*

*Maly D. Rosado*

*Larry Deutsch*

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

Thomas J. Clarke II, Councilman  
Larry Deutsch, Councilman  
Moise "Mo" Laurent, Councilman  
Maly D. Rosado, Councilwoman  
Jo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

## REPORT

November 25, 2019

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 Legislative Affairs Committee meeting of the Court of Common Council of the City of Hartford met on November 13, 2019 at 5:30 pm in Council Chambers. Present were Chair, Councilman John Q. Gale and Majority Leader, Councilman James Sanchez.

The following matter was considered:

**COMMUNICATION FROM MAYOR BRONIN, WITH ACCOMPANYING RESOLUTION CONFIRMING THE APPOINTMENTS OF JOSYE UTICK AS A REGULAR MEMBER AND JONATHAN HARDING AS AN ALTERNATE MEMBER TO THE PLANNING AND ZONING COMMISSION. (ITEM 4 ON AGENDA, Meeting of October 28, 2019)**

Ms Utick and Mr. Harding were present and were interviewed by the Committee.

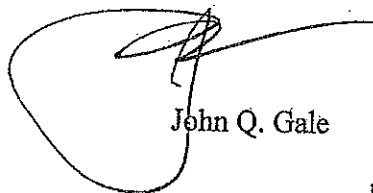
The following action was taken:

Motion by Councilman Sanchez and seconded by Councilman Gale to send their appointments Council with a *favorable* recommendation.

Vote 2-0 in favor of motion taken as follows:

|         |          |
|---------|----------|
| Gale    | - yes    |
| Sanchez | - yes    |
| Deutsch | - absent |
| Rosado  | - absent |

Your chair,

A large, stylized handwritten signature in black ink, appearing to be 'J. Q. Gale', written over the printed name.

John Q. Gale



Luke A. Bronin  
Mayor

October 28, 2019

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: Appointments to Planning & Zoning Commission**

Dear Council President Thames,

Attached for your consideration is a resolution confirming the appointments of Josye Utick as a regular member and Jonathan Harding as an alternate member to the Planning and Zoning Commission.

The Planning and Zoning Commission is an essential part of Hartford City Government. The Commission is responsible for preparing and approving Hartford's Plan of Conservation and Development at least every ten years. It prepares the City's Capital Improvement Program, reviews all resolutions and ordinances that relate to public land and building, and is the decision-making body for planning and zoning matters for the City of Hartford.

These two individuals will add expertise and a history of public service to the Commission. Ms. Utick is an architect who currently serves on the Historic Properties Commission. Her work around the world with JCI Architecture provides her with the design expertise that will be helpful in evaluating projects. She is also active in the CSS/CON neighborhood revitalization zone. Mr. Harding is a resident of the West End, and an attorney at the Office of the Attorney General. He served on a term on the School Governance Council of Noah Webster and has served on a committee of the West End Civic Association.

Resumes are attached for your review. Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

**INTRODUCED BY:**  
Luke A. Bronin, Mayor

**COURT OF COMMON COUNCIL**  
City of Hartford, October 28, 2019

**WHEREAS**, The Hartford Planning and Zoning Commission is responsible for adopting the City's Plan of Conservation and Development, preparing the Capital Improvement Plan, and making decisions on planning and zoning within the city; and

**WHEREAS**, The Commission is composed of seven regular members and three alternates; and

**WHEREAS**, The Mayor has appointed Josye Utick as a regular member of the Commission and Jonathan Harding as an alternate member; now, therefore be it

**RESOLVED**, That the Court of Common Council hereby confirms the following appointments:

Josye Utick (D) – To Replace David Blatt  
221 Trumbull Street, Unit 2903, Hartford, CT 06103  
For a term to expire February 7, 2022

Jonathan Harding (D) – To Replace Toni Gold  
157 Beacon Street, Third Floor, Hartford, CT 06105  
For a term to expire February 3, 2020

**Jonathan E. Harding**

jonathan.e.harding@gmail.com - 157 Beacon St., 3<sup>rd</sup> Fl., Hartford, CT 06105 - Phone: (203) 695-1890

**EDUCATION**

**University of Connecticut School of Law**  
Juris Doctor

Hartford, CT  
May 2011

**Boston College, College of Arts and Sciences**  
Bachelor of Arts in Political Science, Minor in Economics  
**Honors:** Awarded Sr. Thea Bowman Academic Scholar Three Years

Chestnut Hill, MA  
May 2007

**BAR ADMISSION:** State of Connecticut, June 2012; Federal District Court, District of Conn., 2013

**EXPERIENCE**

**State of Connecticut Office of the Attorney General**

Hartford, CT

*Assistant Attorney General (Collections Department)*

October 2012 – Present

Pursue lawsuits to recoup public assistance expenditures, collect unpaid medical bills on behalf of John Dempsey Hospital, recover monies for the Office of the State Treasurer, and recover cost of incarceration from present and former inmates at Connecticut correctional facilities. Practice in probate court, state courts and federal courts, in furtherance of duties. Defend administrative appeals of client agency adjudications. Collected a \$2.2 million recovery for the Department of Administrative Services.

**D'Amico, Griffin & Pettinicchi**

Watertown, CT

*Law Clerk (Medical Products Liability)*

May 2012 – September 2012

Review corporate and medical documents. Review distribution agreement, marketing materials, product testing reports, and deposition testimony of nephrology and hospital administration experts to provide admissible evidence for negligence and products liability claims.

**Tavano McCuin**

Glastonbury, CT

*Legal Intern (General Litigation)*

October 2011 – March 2012

Conducted legal research for litigation department. Drafted requests for admissions, responded to requests for admissions, and drafted notice letters for suits against the State of Connecticut.

**Connecticut Center for Entrepreneurship and Innovation**

East Hartford, CT

*Business Development Analyst (Innovation Accelerator Program)*

January 2011 – May 2011

Counseled start-up technology companies in creating business development and marketing strategies. Conducted industry research in order to develop an appropriate launch strategy for client. Consulted with industry experts to determine viability of client venture.

**State of Connecticut Attorney General's Office**

Hartford, CT

*Legal Intern (Bankruptcy Department)*

May 2010 – August 2010

Won a fee objection motion to seek recovery of large sum of money for the State of Connecticut from bankruptcy estate. Prepared predictive memorandums; including a department memo.

**State of Connecticut Attorney General's Office**

Hartford, CT

*Legal Intern (Employment Department)*

May 2009 – August 2009

Won a motion for summary judgment and a motion to dismiss. Wrote a settlement conference report which forced a favorable settlement for the State of Connecticut.

**ACTIVITIES**

*Member*, Hartford Democratic Town Committee; *Member (former)*, Noah Webster School Governance Council.



## Josye Utick AIA, NCARB, CDT

PROJECT DESIGNER  
JCJ ARCHITECTURE

### EXPERIENCE

17 Years

### EDUCATION

Philadelphia School of Design,  
Master of Architecture

Wellesley College, Bachelor of Arts

University Park, Pa. (M.Arch IV)  
Under Your Arm

Georgia Institute of Technology,  
Summer Language Institution  
Chicago

Emory University, Continuing  
Education

### REGISTRATION

Registered Architect, MA#41,1170

### CERTIFICATIONS

National Council of Architectural  
Registration Boards Certification  
(NCARB)

Construction Specifications Institute  
(CSI) Certified Document Technician

### MEMBERSHIPS/AFFILIATIONS

American Institute of Architects (AIA)

Commission, III, Fair Properties/  
Preservation Commission, City of  
Chicago

Board Member, Tower East Foundation,  
Inc.

CSNY (NY State), Board Member of  
Preservation Council

Director of Design, L. L. L. Corporation

Josye Utick is a polished, licensed architect with mixed-use, residential, hospitality, retail and restaurant design experience in the US, Europe, Asia (China, Vietnam, India), North Africa (Morocco), and the Middle East (Saudi Arabia, UAE, Oman). As a talented project designer excelling at listening and interpreting clients' needs and objectives, she is very motivated, proactive, and attentive to detail and design. Josye has demonstrated competence in BIM technologies, conceptualization and leadership.

### Select Project Experience:

- Goodwin College Main Street Building, East Hartford, CT
- Goodwin College Residential Mixed-Use, East Hartford, CT
- North Armory Coltsville Renovation, Hartford, CT
- Saratoga Springs Downtown Mixed-Use Master Plan, Saratoga Springs, NY
- Downtown North (DoNo) Mixed Use Development, Hartford, CT
- Nashville Convention Center, Nashville, TN\*
- Private residential renovation, Charlotte NC\*
- Ponce City Market, Atlanta, GA\*
- White Provisions Coffee Kiosk, Atlanta, GA\*
- Mandeville, Louisiana town planning, Mandeville, LA\*
- Twin River Hotel, Lincoln, RI
- Sagaming Eagles Landing Casino and Hotel, Standish, MI
- Navy Federal Credit Union Campus Expansion, Pensacola, FL\*
- Four Seasons Resort Mauritius at Anahita, Mauritius

WORK COMPLETED BY PROJECT DESIGNER, JCJ

### Work Experience:

JCJ Architecture, Hartford, CT, Project Designer, April 2015 - Present

ASD Inc., Atlanta, GA, Project Architect, 2012 - 2015

tvdsdesign, Atlanta, GA, Architectural Designer, 2011 - 2012

Contract assignments with various clients, London, UK & Charlotte, NC,  
Architectural Designer, 2009 - 2011

WATG, London, UK & Seattle, WA, Assistant Architect, 2005 - 2009

Yoder + Tidwell, Ltd., Providence, RI, Architectural Intern, 2004 - 2005 (part time)



# Court of Common Council

CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103



## *Legislative Affairs Committee*

*John Q. Gale, Chair*

*James Sanchez*

*Maly D. Rosado*

*Larry Deutsch*

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  
Moise "Mo" Laurent, Councilman  
Maly D. Rosado, Councilwoman  
rfo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

## REPORT

November 25, 2019

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 Legislative Affairs Committee meeting of the Court of Common Council of the City of Hartford met on November 13, 2019 at 5:30 pm in Council Chambers. Present were Chair, Councilman John Q. Gale and Majority Leader, Councilman James Sanchez.

The following matter was considered:

**COMMUNICATION FROM MAYOR BRONIN, WITH ACCOMPANYING RESOLUTION AUTHORIZING THE CITY ACCEPT A GRANT OF \$86,547.00 FROM THE STATE OF CONNECTICUT OFFICE OF EARLY CHILDHOOD FOR EXPANSION AND ENHANCEMENT OF THE FAMILY CHILD CARE PROVIDER NETWORK. (ITEM 3 ON AGENDA, Meeting of October 28, 2019)**

No one from administration was present to comment on the Resolution.

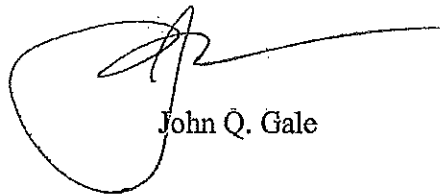
The following action was taken:

Motion by Councilman Sanchez and seconded by Councilman Gale to send their appointments Council with a *favorable* recommendation.

Vote 2-0 in favor of motion taken as follows:

|         |          |
|---------|----------|
| Gale    | - yes    |
| Sanchez | - yes    |
| Deutsch | - absent |
| Rosado  | - absent |

Your chair,

A handwritten signature in black ink, appearing to be 'J. Q. Gale', written over a large, loopy circular flourish.

John Q. Gale



Luke A. Bronin  
Mayor

October 28, 2019

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: Family Child Care Network**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the City accept a grant of \$86,547.00 from the State of Connecticut Office of Early Childhood for expansion and enhancement of the Family Child Care Provider Network.

The Department of Families, Children, Youth and Recreation operates the Family Childcare Provider Network which provides childcare, particularly for infants and toddlers. This grant would allow the City to enhance the support services offered by providers in the network.

There is no financial obligation on behalf of the city and funds will be made available for the period of July 1<sup>st</sup>, 2019 through June 30, 2020.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "L. Bronin", 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 28, 2019

**WHEREAS**, The State of Connecticut Office of Early Childhood has notified the City of Hartford that funds in the amount of \$86,547.00 will be made available to the Department of Families, Children, Youth & Recreation; and

**WHEREAS**, This grant funding is provided by The State of Connecticut Office of Early Childhood and is to be used to enhance and expand the Family Child Care Provider Network operated by the Department of Families, Children, Youth & Recreation for the City of Hartford; and

**WHEREAS**, This grant funding will allow the City to develop workshops, educational materials, provide additional support and create opportunities for partners to collaborate; and

**WHEREAS**, The grant funding period is July 1, 2019 through June 30, 2020 and requires no matching funds from the City; now, therefore be it

**RESOLVED**, That the Mayor is authorized to accept a grant in the amount of \$86,547.00 from The State of Connecticut Office of Early Childhood to enhance and expand the Family Child Care Provider Network operated by the Department of Families, Children, Youth & Recreation for the City of Hartford; 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 or any immediate extension thereof, 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 actions as he and the Corporation Council may deem appropriate and in the best interests of the City in order to receive, contract and expand the above referenced funding; 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 the 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 or by the parties executing such documents, and taking such action, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Council.

# Court of Common Council

CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103



## *Planning, Economic Development & 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

Maly D. Rosado, Councilwoman  
Jo Winch, Councilwoman

John V. Bazzano, Town and City Clerk

October 15, 2019

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 held its regular meeting on October 1, 2019 at 6:00 pm in Council Chambers. Present were Councilman John Q. Gale, Chair and Councilwoman Maly D. Rosado.

The following item was discussed:

**2. COMMUNICATION FROM MAYOR BRONIN, with accompanying resolution which would authorize the City to enter into a lease agreement with New Cingular Wireless PCS, LLC for the installation of wireless devices on public structures to support their 4G Network. In an effort to further support existing AT&T cellular service across the City, New Cingular Wireless PCS, LLC has requested to utilize city owned property within the right-of-way to strengthen cell phone coverage within the City. (Agenda item #2, meeting of September 9, 2019)**

Council received a report from the Economic Development Director Erin Howard in which she explained that subsequent to the introduction of this resolution, the City had received comments from the FCC and others which caused the City to reflect further on the resolution. Under consideration are the effects this resolution will have upon future development of both 4G and 5G networks in the City upon not only AT&T but also all other interested parties. The City suggests a postponement for further study. Representatives of AT&T and an installer of the devices under consideration were present and spoke in favor of taking additional time to consider all consequences.

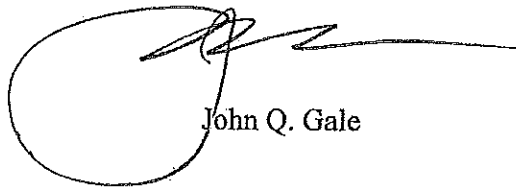
After due consideration, the following action was taken:

Motion by Councilwoman Maly D. Rosado and second by Councilman Gale to postpone the matter until the next meeting of the Committee in November. The chair noted that the next meeting will not be on its regularly scheduled day as that is Election Day.

Vote 2-0 in favor of motion taken as follows:

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

Your chair,

A large, stylized handwritten signature in black ink, consisting of a large loop on the left and a series of horizontal strokes on the right.

John Q. Gale



**Luke A. Bronin**  
**Mayor**

September 9, 2019

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: Strengthening AT&T Cellular Service**

Dear Council President Thames,

Attached for your consideration is a resolution which would authorize the City to enter into a lease agreement with New Cingular Wireless PCS, LLC for the installation of wireless devices on public structures to support their 4G Network. In an effort to further support existing AT&T cellular service across the City, New Cingular Wireless PCS, LLC has requested to utilize city owned property within the right-of-way to strengthen cell phone coverage within the City.

Cellular/wireless service is regulated by the Federal Communication Commission and the CT Public Utilities Regulatory Authority, and urban environments present unique challenges to carriers. While utility companies are still allowed to expand their network within the ROW itself, they still must enter into agreements with private/public property owners, as well as obtain any necessary regulatory approvals and permits associated with such property that is not owned by the utilities themselves. New Cingular Wireless PCS, LLC is proposing to replace and install Small Cell Nodes at six Municipal Street Lights within downtown. Proposed locations are attached for your review.

Currently our Zoning Regulations allow for Small Cell Nodes as Accessory Utility Structures by way of a Special Permit. Therefore, prior to executing any agreement, each structure must receive Planning & Zoning Approval as well as approval from our Department of Public Works to ensure that the intended street poles can both support the new infrastructure and maintain City access to these poles.

The Department of Development Services and Corporation Counsel are happy to answer any questions you may have. Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

**INTRODUCED BY:**  
Luke A. Bronin, Mayor

**COURT OF COMMON COUNCIL**  
City of Hartford, September 9, 2019

**WHEREAS**, AT&T Wireless or New Cingular Wireless PCS, LLC is looking to lease City owned property within the ROW to enhance and provide adequate 4G cell phone coverage to its customers; and

**WHEREAS**, Utility infrastructure is regulated within the ROW by the Federal Communication Commission and the CT Public Utilities Regulatory Authority, however, certain areas of the City are serviced by underground wiring that reduce the number of utility poles within these areas, thereby requiring carriers to attach their wireless installations on private and/or public property not owned by the Utility company; and

**WHEREAS**, New Cingular Wireless PCS, LLC is looking to install Small Cell Nodes upon six City of Hartford Street Lights; and

**WHEREAS**, The City of Hartford has the authority to lease out public structures and charge the utility companies for the use of those structures; and

**WHEREAS**, The City of Hartford's Planning & Zoning Regulations allow for Small Cell Node installations as Accessory Utility Structures by way of a special permit review; and

**WHEREAS**, Any such installation would require the necessary Planning & Zoning approvals, Department of Public Works review & approval as well as any other necessary permits required by law; now, therefore be it

**RESOLVED**, That the Court of Common Council hereby authorizes the Mayor, to enter into a lease agreement with New Cingular Wireless PCS, LLC for the use of City property for Wireless Installations; 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 agreements 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 application and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.



ITEM# 9 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

June 24, 2019

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 Public Works, Parks and Environment Committee held a meeting on June 5, 2019 at 5:30pm in Council Chambers to discuss the following referred item as reflected on the committee agenda.

The following were present: Committee Chairwoman Wildaliz Bermúdez, Assistant Majority Leader John Q. Gale, Councilwoman rJo Winch, and Councilman Thomas J. Clarke.

Also present were, Lynette Taylor Grande a retired educator and daughter of Johnny Taylor, Michael Looney from DPW, James del Visco from Corporation Counsel, Donna Swarr from PRAC, Tom Swarr from ACOTE, Grace Yi from the City of Hartford, Patricia Kelly from Ebony Horsewomen and other concerned citizens.

### Item #2

**RESOLUTION SEEKING TO RENAME FIELD #9 IN THE CITY'S COLT PARK AS THE "JOHNNY TAYLOR FIELD". AND ALSO SERVES AS THE HARTFORD CITY COUNCIL'S EFFORT TO COMMEMORATE AND PERMANENTLY RECOGNIZE**

**ONE OF OUR HOMETOWN HEROES. (COUNCILMAN CLARKE II) (ITEM 29 ON AGENDA OF MAY 13, 2019).**

Councilman Clarke expressed that Johnny Taylor was the first professional baseball player from the City of Hartford. And Michael Looney from DPW mentioned that the item has the full support of DPW.

A motion was made by Councilwoman rJo Winch and seconded by Councilman Thomas J. Clarke to send this item to full Council with a favorable recommendation.

**Votes Taken:**

Chairwoman Bermúdez: Yes  
Councilman Gale: Yes  
Councilman Clarke II: Yes  
Councilman Sánchez: Absent  
Councilwoman Winch: Yes

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'WB' or similar initials, with a stylized flourish.

Wildaliz Bermúdez  
Chairwoman of Public Works, Parks and Environment Committee

**INTRODUCED BY:**  
**Thomas J. Clarke II, Councilman**

**COURT OF COMMON COUNCIL**  
**City of Hartford, May 13, 2019.**

**WHEREAS,** The Court of Common Council stays committed to the development and preservation of The Capital City and Its legacy. It is also at this juncture that we acknowledge Johnny "Schoolboy" Taylor, Hartford Connecticut's first professional black athlete and His remarkable impact on the sport of baseball, this region and beyond; and

**WHEREAS,** Johnny Taylor was born 2/4/1916 in Hartford, Connecticut and attended Bulkeley High School where he dominated the Hartford Twilight League at Colt Park. Johnny Taylor further became an all-star in the Negro Leagues, Mexican League and Cuban League. These accomplishments were made amidst the racial segregation and tensions of the 1930's and 1940's. The Court of Common Council strongly believes that the acknowledgment of our rich past undoubtedly fosters healthier and wealthier communities; and

**WHEREAS,** The prestige of our great city and this region continues to be charted through time to that of nobility, integrity, mixed with a sense of pride. These accolades have far more fundamental values to the people who occupies this region today, and to be reminded or even rebranded of the great impact those before us have sacrificed to leave behind this rich legacy, be it

**RESOLVED,** The Court of Common Council hereby seek to rename Field #9 in The City's Colt Park as the **"Johnny Taylor Field"**. This resolution also serves as The Hartford City Council's effort to commemorate and permanently recognize one of our hometown heroes from a family make up reflective today of our own and who prevailed in the face of racial segregation and all other adversities of that time.

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.

This ordinance shall take effect upon adoption.

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.

Introduced  
by:

HEADING  
AND  
PURPOSE

ITEM# 12 ON AGENDA

Minority Leader Wildaliz Bermudez  
Councilman Thomas J. Clarke II  
Councilwoman Claudine Fox  
Councilwoman rJo Winch  
Councilman Larry Deutsch

**AN ORDINANCE AMENDING CHAPTER 2 OF THE HARTFORD MUNICIPAL  
CODE.**

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

November 13, 2018

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

That Chapter 2, Article II of the Municipal Code of the City of Hartford be amended, adding Section 2-48 and Section 2-49, as follows:

**Section 2-48. Establishing the power of the City Council to protect city residents.**

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

Discriminatory shall mean (1) disparate treatment of any individual(s) because of any real or perceived traits, characteristics, or status as to which discrimination is prohibited under the Constitution or any law of the United States, the constitution or any law of the State of Connecticut, or the City Charter or any law of the City of Hartford, or because of their association with such individual(s), or (2) disparate impact on any such individual(s) having traits, characteristics, or status described in subsection (1).

Disparate impact shall mean an adverse effect that is disproportionately experienced by individual(s) having any traits, characteristics, or status as to which discrimination is prohibited under the Constitution or any law of the United States, the constitution or any law of the State of Connecticut, or the City Charter or any law of the City of Hartford than by similarly situated individual(s) not having such traits, characteristics, or status.

Municipal entity shall mean any municipal government, agency, department, bureau, division, or unit of this city.

Surveillance data shall mean any electronic data collected, captured, recorded, retained, processed, intercepted, analyzed, or shared by surveillance technology.

Surveillance technology shall mean any electronic surveillance device, hardware, or software that is capable of collecting, capturing, recording, retaining, processing, intercepting, analyzing, monitoring, or sharing audio, visual, digital, location, thermal,

biometric, or similar information or communications specifically associated with, or capable of being associated with, any specific individual or group; or any system, device, or vehicle that is equipped with an electronic surveillance device, hardware, or software.

1. Surveillance technology includes, but is not limited to: (a) unmanned aerial vehicles; (b) international mobile subscriber identity (IMSI) catchers and other cell site simulators; (c) automatic license plate readers; (d) electronic toll readers; (e) closed-circuit television cameras; (f) biometric surveillance technology, including facial, voice, iris, and gait-recognition software and databases; (g) mobile DNA capture technology; (h) gunshot detection and location hardware and services; (i) x-ray vans; (j) video and audio monitoring and/or recording technology, such as surveillance cameras, wide-angle cameras, and wearable body cameras; (k) surveillance enabled or capable lightbulbs or light fixtures; (l) tools, including software and hardware, used to gain unauthorized access to a computer, computer service, or computer network; (m) social media monitoring software; (n) through-the-wall radar or similar imaging technology; (o) passive scanners of radio networks; (p) long-range Bluetooth and other wireless-scanning devices; (q) radio-frequency I.D. (RFID) scanners; and (r) software designed to integrate or analyze data from surveillance technology, including surveillance target tracking and predictive policing software. The enumeration of surveillance technology examples in this subsection shall not be interpreted as an endorsement or approval of their use by any municipal entity.
2. Surveillance technology does not include the following devices or hardware, unless they have been equipped with, or are modified to become or include, a surveillance technology as defined in subsection (a): (a) routine office hardware, such as televisions, computers, and printers, that is in widespread public use and will not be used for any surveillance or surveillance-related functions; (b) Parking Ticket Devices (PTDs); (c) manually-operated, non-wearable, handheld digital cameras, audio recorders, and video recorders that are not designed to be used surreptitiously and whose functionality is limited to manually capturing and manually downloading video and/or audio recordings; (d) surveillance devices that cannot record or transmit audio or video or be remotely accessed, such as image stabilizing binoculars or night vision goggles; (e) municipal agency databases that do not and will not contain any data or other information collected, captured, recorded, retained, processed, intercepted, or analyzed by surveillance technology; and (f) manually-operated technological devices that are used primarily for internal municipal entity communications and are not designed to surreptitiously collect surveillance data, such as radios and email systems.

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.

Viewpoint-based shall mean targeted at any community or group or its members because of their exercise of rights protected under the First Amendment of the United States Constitution.

(b) A municipal entity must obtain City Council approval, subsequent to a mandatory, properly-noticed, germane, public City Council hearing at which the public is afforded a fair and adequate opportunity to provide written and oral testimony, prior to engaging in any of the following:

1. Seeking funds for new surveillance technology, including but not limited to applying for a grant, or soliciting or accepting state or federal funds or in-kind or other donations;
2. Acquiring or borrowing new surveillance technology, whether or not that acquisition is made through the exchange of monies or other consideration;
3. Using new or existing surveillance technology for a purpose or in a manner not previously approved by the City Council in accordance with this ordinance, including the sharing of surveillance data therefrom; or
4. Soliciting proposals for or entering into an agreement with any other person or entity to acquire, share or otherwise use surveillance technology or surveillance data.

If City Council does not hold a public hearing regarding a municipal entity's request to engage in the aforementioned actions within one hundred and twenty (120) days of the municipal entity commencing the process of seeking City Council approval, the City Council's inaction shall be deemed a rejection of the proposal. City Council may request additional information from a municipal entity at any point before giving approval.

(c) To commence the process of seeking City Council approval, pursuant to subsection (b), to fund, acquire, or use surveillance technology or to enter into an agreement concerning such funding, acquisition, or use, a municipal entity shall submit to the City Council and make publicly available a Surveillance Impact Report and Surveillance Use Policy concerning the technology at issue.

1. No use of surveillance technology by a municipal entity pursuant to subsection (b) shall be permitted without the City Council's express approval of the related Surveillance Impact Report and Surveillance Use Policy submitted by the municipal entity pursuant to subsection (c).
2. Use of an unmanned aerial vehicle management platform may be used by a municipal entity to provide rapid deployment software for unmanned aerial vehicles and track relevant unmanned aerial vehicle flight data for use in the Surveillance Impact Report and Surveillance Use Policy.
3. Prior to approving or rejecting a Surveillance Impact Report or Surveillance Use Policy submitted pursuant to subsection (c), the City Council may request revisions be made by the submitting municipal entity.

(d) Surveillance Impact Report: A Surveillance Impact Report submitted pursuant to subsection (c) shall be a publicly-released, legally enforceable written report that

includes, at a minimum, the following:

1. Information describing the surveillance technology and how it works, including product descriptions from manufacturers;
  2. Information on the proposed purpose(s) of the surveillance technology;
  3. If the surveillance technology will not be uniformly deployed or targeted throughout the city, information concerning the factors will be used to determine where, when and how the technology is deployed or targeted;
  4. Results and Information gathered with unmanned aerial vehicle Management Software on unmanned aerial vehicle flight data;
  5. The fiscal impact of the surveillance technology; and
  6. An assessment identifying with specificity:
    - A. Any potential adverse impacts the surveillance technology, if deployed, might have on civil rights, civil liberties, and individuals privacy; and
    - B. What specific, affirmative measures will be implemented to safeguard the public from the potential adverse impacts identified pursuant to subsection (d)(5)(A).
- (e) Surveillance Use Policy: A Surveillance Use Policy submitted pursuant to subsection (c) shall be a publicly-released, legally enforceable written policy governing the municipal entity's use of the surveillance technology that, at a minimum, includes and addresses the following:
1. Purpose: What specific purpose(s) the surveillance technology is intended to advance.
  2. Authorized Use: For what specific capabilities and uses of the surveillance technology is authorization being sought, and
    - A. What legal and procedural rules will govern each authorized use;
    - B. What potential uses of the surveillance technology will be expressly prohibited, such as the warrantless surveillance of public events and gatherings and warrantless surveillance at or near venues that house children under the age of eighteen, such as schools, playgrounds, day care centers or group homes; and
    - C. How and under what circumstances will surveillance data that was collected, captured, recorded, or intercepted by the surveillance technology be analyzed and reviewed.

3. Data Collection:

- A. What types of surveillance data will be collected, captured, recorded, intercepted, or retained by the surveillance technology;
  - B. What surveillance data may be inadvertently collected during the authorized uses of the surveillance technology, and what measures will be taken to minimize the inadvertent collection of data; and
  - C. How inadvertently collected surveillance data will be expeditiously identified and deleted. Any inadvertently collected surveillance data containing the identity of children under eighteen should be immediately deleted absent a youth being specifically listed in an authorized warrant. In the case of a warrant specifically listing a youth, the identity of other children and youth under eighteen must be protected.
4. Data Protection: What safeguards will be used to protect surveillance data from unauthorized access, including encryption and access control mechanisms.
5. Data Retention: Insofar as the privacy of the public can be severely compromised by the long-term storage of mass surveillance data, what rules and procedures will govern the retention of surveillance data, including those governing:
- A. For what limited time period, if any, surveillance data will be retained. Such information shall include a statement explaining why the designated retention period is no greater than that which is absolutely necessary to achieve the specific purpose(s) enumerated in the Surveillance Use Policy;
  - B. What specific conditions must be met to retain surveillance data beyond the retention period stated in subsection (e)(5)(A); and
  - C. By what process surveillance data will be regularly deleted after the retention period stated in subsection (e)(5)(A) elapses and what auditing procedures will be implemented to ensure data is not improperly retained.
6. Surveillance Data Sharing: If a municipal entity is seeking authorization to share access to surveillance technology or surveillance data with any other governmental agencies, departments, bureaus, divisions, or units, it shall detail:
- A. How it will require that the collection, retention, and storage of surveillance data be conducted in compliance with the principles set forth in 28 C.F.R. Part 23, including but not limited to 28 C.F.R. Part 23.20(a), which states that a government entity operating a surveillance program "shall collect and maintain criminal intelligence information concerning an individual only if there is reasonable suspicion that the individual is involved in criminal conduct or activity and the information is relevant to that criminal conduct or activity."
  - B. Which governmental agencies, departments, bureaus, divisions, or units

will be approved for (i) surveillance technology sharing, and for (ii) surveillance data sharing;

- C. How such sharing is necessary for the stated purpose and use of the surveillance technology, including any unmanned aerial vehicle management platform utilized;
  - D. How it will ensure any entity's sharing access to the surveillance technology or surveillance data complies with the applicable Surveillance Use Policy and does not further disclose the surveillance data to unauthorized persons and entities; and
  - E. What processes will be used to seek approval of future surveillance technology or surveillance data sharing agreements from the municipal entity and City Council.
7. Demands for Access to Surveillance Data: What legal standard must be met by government entities or third parties seeking or demanding access to surveillance data.
8. Auditing and Oversight: What mechanisms will be implemented to ensure the Surveillance Use Policy is followed, including what independent persons or entities will be given oversight authority, and what legally enforceable sanctions will be put in place for violations of the policy.
9. Complaints: What procedures will be put in place by which members of the public can register complaints or concerns, or submit questions about the deployment or use of a specific surveillance technology, and how the municipal entity will ensure each question and complaint is responded to in a timely manner.
10. Children and Youth: What specific procedures shall be employed to ensure that the confidentiality and privacy rights of children and youth under the age of eighteen are not violated.
- (f) No later than one hundred twenty (120) days following the effective date of this ordinance, any municipal entity seeking to continue the use of any surveillance technology that was in use prior to the effective date of this ordinance, or the sharing of surveillance data therefrom, must commence a City Council approval process in accordance with subsection (b). If the City Council has not approved the continuing use of the surveillance technology, including the Surveillance Impact Report and Surveillance Use Policy submitted pursuant to subsection (c), within one hundred eighty (180) days of their submission to the City Council, the municipal entity shall cease its use of the surveillance technology and the sharing of surveillance data therefrom until such time as City Council approval is obtained in accordance with this ordinance.
- (g) If more than one municipal entity will have access to the surveillance technology or surveillance data, a lead municipal entity shall be identified. The lead municipal entity shall be responsible for maintaining the surveillance technology and ensuring compliance with all related laws, regulations and protocols.

- (h) The City Council shall only approve a request to fund, acquire, or use a surveillance technology if it determines the benefits of the surveillance technology outweigh its costs, that the proposal will safeguard civil liberties and civil rights, and that the uses and deployments of the surveillance technology will not be based upon discriminatory or viewpoint-based factors or have a disparate impact on any community or group. To assist the public in participating in such an analysis, all approved Surveillance Impact Reports and Surveillance Use Policies shall be made available to the public, at a designated page on the relevant municipal entity's public website, for as long as the related surveillance technology remains in use. An approval for the funding, acquisition and/or use of a surveillance technology by the City Council, where the risk of potential adverse impacts on civil liberties or civil rights has been identified in the Surveillance Impact Report pursuant to subsection (d)(5)(A), shall not be interpreted as an acquiescence to such impacts, but rather as an acknowledgement that a risk of such impacts exists and must be affirmatively avoided.
- (i) A municipal entity that obtains approval for the use of a surveillance technology must submit to the City Council, and make available on its public website, an Annual Surveillance Report for each specific surveillance technology used by the municipal entity within twelve (12) months of City Council approval, and annually thereafter on or before March 15. The Annual Surveillance Report shall, at a minimum, include the following information for the previous calendar year:
1. A summary of how the surveillance technology was used; drone flight data as recorded through any drone management platform utilized;
  2. Whether and how often collected surveillance data was shared with any external persons or entities, the name(s) of any recipient person or entity, the type(s) of data disclosed, under what legal standard(s) the information was disclosed, and the justification for the disclosure(s);
  3. Where applicable, a breakdown of where the surveillance technology was deployed geographically, by individual census tract as defined in the relevant year by the United States Census Bureau, and whether the surveillance took place at or near a venue likely to house children and youth (such as a school, park, daycare center, community center, or the like). For each census tract, the municipal entity shall report how many individual days the surveillance technology was deployed and what percentage of those daily-reported deployments were subject to (A) a warrant, and (B) a non-warrant form of court authorization;
  4. Where applicable, and with the greatest precision that is reasonably practicable, the amount of time the surveillance technology was used to monitor Internet activity, the number of people affected, including the number of children and youth under the age of eighteen, and what percentage of the reported monitoring was subject to (A) a warrant, and (B) a non-warrant form of court authorization;
  5. A summary of complaints or concerns that were received about the surveillance technology;
  6. The results of any internal audits, any information about violations of the



Surveillance Use Policy, and any actions taken in response;

7. An analysis of any discriminatory, disparate, and other adverse impacts the use of the technology may have had on the public's civil liberties and civil rights, including but not limited to those guaranteed by the First, Fourth, and Fourteenth Amendments to the United States Constitution; and
  8. Total annual costs for the surveillance technology, including personnel and other ongoing costs, and what source of funding will fund the technology in the coming year.
- (j) Within thirty (30) days of submitting and publicly releasing an Annual Surveillance Report pursuant to subsection (i), the municipal entity shall hold one or more well-publicized and conveniently located community engagement meetings at which the general public is invited to discuss and ask questions regarding the Annual Surveillance Report and the municipal agency's use of surveillance technologies.
- (k) The City Council shall review each Annual Surveillance Report within three (3) months of its submission. Based upon information provided by the unmanned aerial vehicle management platform, if one is utilized, and in the Annual Surveillance Report, the City Council shall determine whether each surveillance technology identified in response to subsection (i), as used by the report-submitting entity, has met the standard for approval set forth in subsection (h) and, if not, whether the use of the surveillance technology shall be discontinued or if City Council will require modifications to the Surveillance Use Policy that will resolve the observed failures. These determinations shall be made by a majority vote of City Council members at the next City Council meeting, at which there is quorum, after the date the review of the report is required. The president or majority leader of City Council shall then direct the Hartford Corporation Counsel's Office to send a letter, within seven (7) days of City Council's vote, to the municipal entity notifying the entity that it may continue to use the surveillance technology, it shall discontinue the use of the surveillance technology, or it shall make modifications to the Surveillance Use Policy that will resolve the observed failures.
- (l) Not later than January 31 of each year, the City Council or its appointed designee shall release an annual public report, in print and on its public website, containing the following information for the preceding calendar year:
1. The number of requests for approval submitted to the City Council under this ordinance for the funding, acquisition, or new use of surveillance technology;
  2. The number of times the City Council approved requests submitted under this ordinance for the funding, acquisition, or new use of surveillance technology;
  3. The number of times the City Council rejected requests submitted under this ordinance for the funding, acquisition, or new use of surveillance technology;
  4. The number of times the City Council requested modifications be made to Surveillance Impact Reports and Surveillance Use Policies before approving the funding, acquisition, or new use of surveillance technology; and

5. All Annual Surveillance Reports submitted pursuant to subsection (i). Printed copies of the public report may contain pinpoint references to online locations where the Annual Surveillance Reports are located, in lieu of reprinting the full reports.
  6. Data provided through any unmanned aerial vehicle management platform utilized, including but not limited to flight logs, number of deployments, and equipment maintenance.
- (m) Municipal employees or agents, except in response to a declared municipal, state, or federal state of emergency, shall not use any surveillance technology except in a manner consistent with policies approved pursuant to the terms of this ordinance, and may in no circumstances utilize surveillance technology in a manner which is discriminatory, viewpoint-based, or violates the City Charter, State Constitution, or United States Constitution. Any municipal employee who violates the provisions of this ordinance, or any implementing rule or regulation, may be subject to disciplinary proceedings and punishment. Any violation of the provisions of this ordinance shall be noted in the employee's human resources record.
- (n) No municipal entity or anyone acting on behalf of a municipal entity may take or fail to take, or threaten to take or fail to take, a personnel action with respect to any employee or applicant for employment, including but not limited to discriminating with respect to compensation, terms, conditions, access to information, restrictions on due process rights, privileges of employment, or civil or criminal liability, because the employee or applicant was perceived to, about to, or assisted in any lawful disclosure of information concerning the funding, acquisition, or use of a surveillance technology or surveillance data to any relevant municipal agency, municipal law enforcement, prosecutorial, or investigatory office, or City Council Member, based upon a good faith belief that the disclosure evidenced a violation of this ordinance.
- (o) It shall be unlawful for the city or any municipal entity to enter into any contract or other agreement that conflicts with the provisions of this ordinance, and any conflicting provisions in such contracts or agreements, including but not limited to non-disclosure agreements, shall be deemed void and legally unenforceable. Conflicting provisions in contracts or agreements signed prior to the enactment of this ordinance shall be deemed void and legally unenforceable to the extent permitted by law. This section shall not apply to collective bargaining agreements and related memorandums of agreement or understanding that pre-date this ordinance.
- (p) It shall be unlawful for the city or any municipal entity to enter into any contract or other agreement that facilitates the receipt of surveillance data from, or provision of surveillance data to any non-governmental entity in exchange for any monetary or any other form of consideration from any source, including the assessment of any additional fees, interest, or surcharges on unpaid fines or debts. Any contracts or agreements signed prior to the enactment of this ordinance that violate this section shall be terminated as soon as is legally permissible.
- (q) The provisions in this ordinance are severable. If any part or provision of this

ordinance, or the application of this ordinance to any person or circumstance, is held invalid, the remainder of this ordinance, including the application of such part or provisions to other persons or circumstances, shall not be affected by such holding and shall continue to have force and effect.

- (r) This ordinance shall take effect upon adoption.

#### **Section 2-49. Use of unmanned aerial vehicles by City employees.**

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

Employee means any person employed by the City in any capacity whether elected or appointed, whether as a classified employee, unclassified employee, or on a contractual basis, permanent or temporary, full-time or part-time and all employees of the board of education. Employee also includes any person employed by any City department, office or agency, and any person, whether appointed or under contract, who provides services for the City, or any other political subdivision of the City for which a pension is provided.

Employee of the Hartford Fire Department means the fire chief, fire marshal, and the officers and members of the Hartford Fire Department.

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

Municipal entity shall mean any municipal government, agency, department, bureau, division, or unit of this City.

Unmanned aerial vehicle means any contrivance used or designed for navigation of or flight in air that is power-driven and operated remotely or 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 of the City Charter. This subsection shall be enforced by the Hartford chief of police.
- (c) No person who, as part of his or her duties as a City employee, 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 City employee shall operate an unmanned aerial vehicle, unless:

(1) The City employee is a law enforcement officer; and

A. 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; or

B. 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.

(i) The Hartford Police Department must provide the City Council with a credible risk report within thirty (30) days in all incidences involving the operation of an unmanned aerial vehicle due to an exigent circumstance exemption. A credible risk report shall include the date the Hartford Police Department operated an unmanned aerial vehicle without a warrant; the facts leading the law enforcement officer to have probable cause to believe that a criminal offense was committed, was being committed, or would be committed; the facts the law enforcement officer relied upon to determine that exigent circumstances existed; and a narrative that offers the law enforcement officer's justification for using an unmanned aerial vehicle without a warrant; and unmanned aerial vehicle flight data.

(2) The City employee is a law enforcement officer, employee of the Hartford Fire Department, or a designated employee of the Hartford City Tax Collector's Office; and

A. The operation is pursuant to training activities conducted by the employee while on land owned or leased by the federal or state government and does not occur in an area that is substantially populated;

B. The operation is used to reconstruct or document a specific crime or accident scene, motor vehicle accident, or hazardous materials accident;

C. The operation is used to assist and manage pre-fire planning, high-rise fires, commercial and residential fires, and post-fire investigations; or

D. The operation is used to assist in and manage severe weather emergencies, flood events, or search and rescue missions involving

missing person investigations, AMBER Alerts, and Silver Alerts; or

E. The operation is used to take photos of property for the purposes of assessing the value of real property for local real estate taxation purposes.

(3) 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.

(4) 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.

(5) Any public event that has filed for a permit with the City of Hartford has requested public safety assistance and has over ten thousand (10,000) registered event participants.

(A) Event promoters and organizers must notify all registered participants at least one (1) day in advance of the event that the City of Hartford will deploy unmanned aerial vehicles during the event to surveille the public.

(6) Operation of an unmanned aerial vehicle shall not take place at or near venues that house children under the age of eighteen, such as schools, playgrounds, day care centers, or group homes unless there is a warrant for a specific individual. In the event that there is a warrant, steps must be taken to protect the confidentiality of all other individuals under the age of eighteen.

(7) The operation will not be used to replace a member of the civil service sector.

(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 information concerning parts of private property not visible from public property, to be ascertained or if the City employee 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 (3) or (4) 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 (1)(B), (2)(A), (2)(B), (2)(C), (2)(D), (2)(E) or (5) of subsection (d) of this section that concerns an individual or privately owned property shall be reviewed by the municipal entity that operated the unmanned

aerial vehicle not later than thirty (30) 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 municipal entity (A) shall destroy such information not later than forty-eight (48) 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 (5) years from the date of collection and, after such retention, shall destroy the modified information.

(3) If such information was collected through the operation of an unmanned aerial vehicle pursuant to subdivision (1)(B), (2)(A), (2)(B), (2)(C), (2)(D), or (5) of subsection (d) of this section and 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 municipal entity may retain such information for a period of not more than five (5) 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. If such information was collected through the operation of an unmanned aerial vehicle pursuant to subdivision (2)(E) and allows the identity of an individual or privately owned property to be ascertained, the municipal entity (A) shall destroy such information not later than forty-eight (48) hours after its 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 (5) years from the date of collection and, after such retention, shall destroy the modified information. Information collected through the operation of an unmanned aerial vehicle pursuant to subdivision (2)(E) shall not be used in the prosecution of a crime.

(4) No municipal entity or City employee shall, by using facial recognition software, appearance similarity video synopsis software, or any similar technology, analyze information that was collected through the operation of an unmanned aerial vehicle.

(i) Not later than ninety (90) days after the Court of Common Council of the City of Hartford's adoption of this section, each municipal entity shall adopt and maintain a written policy that meets the policies set forth in this section. Each municipal entity's policy shall require all City employees who operate unmanned aerial vehicles to complete a Federal Aviation Administration approved training program to ensure proper use and operations. Prior to deploying or operating an unmanned aerial vehicle, each municipal entity shall obtain all applicable authorizations, permits, and/or certifications required by the Federal Aviation Administration, and these authorizations, permits, and certificates shall be maintained and current, as required by the Small Unmanned Aircraft Systems federal regulations, C.F.R. § T. 14, Ch. I, Subch. F, Pt. 107.

(j) Not later than ninety (90) days after the Court of Common Council of the City of Hartford's adoption of this section, the City of Hartford Corporation Counsel's office

will make accessible a standard incident report form for all applicable municipal entities, to 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 or had been, and (7) whether an arrest or arrests were made. The unmanned aerial vehicle incident report shall be completed, within seven (7) days of a City employee's use of an unmanned aerial vehicle, each time an unmanned aerial vehicle is used by a City employee. One hundred and eighty (180) days after the adoption of this section, a municipal entity that completed any unmanned aerial vehicle incident reports subsequent to the adoption of this section shall submit those reports to the City Council. After the first submission of reports one hundred and eighty (180) days after the adoption of this section, a municipal entity that completed any unmanned aerial vehicle incident reports since its last submission of reports to the City Council shall submit those reports to the City Council on March 15, June 15, September 15, and December 15 of each year. In addition to these biannually reports (every six months), a municipal entity that has completed any unmanned aerial vehicle incident reports subsequent to the adoption of this section shall provide, within seven (7) days, individual or multiple incident reports to the City Council if requested to do so by a City Council member.

- (k) Each municipal entity that operates unmanned aerial vehicles must include in its Annual Surveillance Report, as required by subsection (i) of Section 2-48 of the City Charter, a report that includes, but need not be limited to: (1) The number of times the municipal entity 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, (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 City employee, (8) whether the unmanned aerial vehicle was used to assist in and manage pre-fire planning, high-rise fires, commercial and residential fires, and post-fire investigations, (9) whether the unmanned aerial vehicle was used to assist in and manage severe weather emergencies, flood events, or search and rescue missions involving missing person investigations, AMBER Alerts, and Silver Alerts, (10) all credible risk reports for all incidents under which an unmanned aerial vehicle was operated due to exigent circumstances, and (11) whether the public was given notice for each incident in which a city agency operated a unmanned aerial vehicle.
- (l) Required liability insurance for unmanned aerial vehicles will be purchased by the City of Hartford, in accordance with state law, federal law, and any applicable regulations.
- (m) This ordinance shall take effect upon adoption.

Introduced by:

James Sánchez, Majority Leader

HEADING  
AND  
PURPOSE

**AN ORDINANCE AMENDING CHAPTER 2 OF THE MUNICIPAL CODE OF  
HARTFORD**

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

November 13, 2018

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

That Chapter 2 of the Municipal Code of Hartford be amended, adding Article XXIII, Section 2-938, as follows:

**ARTICLE XXIII. - DRONES**

**Sec. 2-938. – Drone Use by Police and Fire Departments.**

Not later than ninety (90) days from the date of the enactment of this ordinance, the City of Hartford Police Department and the City of Hartford Fire Department shall each promulgate a written policy governing the use of drones in the respective operations of their respective departments. The aforementioned policies shall be promulgated solely in accordance with applicable State and Federal rules, laws, codes, regulations, rulings, requirements, policies and orders, and, with the exception of this ordinance, and to the extent allowed by law, to the exclusion of any and all municipal laws. The aforementioned City of Hartford departments shall use drones in their respective operations in strict compliance with the respective written policies promulgated hereunder and solely in accordance with applicable State and Federal rules, laws, codes, regulations, rulings, requirements, policies and orders, and, with the exception of this ordinance, and to the extent allowed by law, to the exclusion of any and all municipal laws. As used herein, the term “drone,” or language of similar import, shall be construed to apply to any Unmanned Aircraft System as the same is defined by Federal law. As used herein, the term “operations” shall be construed to apply to the ordinary and/or necessary activities of the department in question, including, but not limited to, the recording and storage of images and/or sounds. Where this ordinance and any other City of Hartford ordinance deal with the same subject matter, this ordinance shall prevail, to the exclusion of the other ordinance, so far as they conflict.

This ordinance shall take effect upon enactment.



ITEM# 14 ON AGENDA

# Court of Common Council

CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103



*Legislative Affairs Committee*

*John Q. Gale, Chair*

*James Sanchez*

*Maly D. Rosado*

*Larry Deutsch*

*Claudine Fox*

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

November 26, 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 Legislative Affairs Committee meeting of the Court of Common Council of the City of Hartford met on November 14, 2018 at 5:30 pm in Council Chambers. Present were John Q. Gale and Majority Leader Councilman James Sanchez.

The following action was taken:

Motion by Councilman Gale and seconded by Councilman Sanchez to send the following Agenda item back to Council with a favorable recommendation:

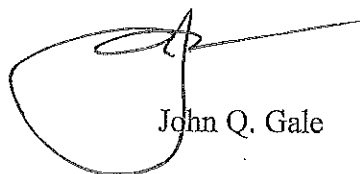
7. **RESOLUTION CONCERNING THE APPROVAL OF THE REGULATIONS GOVERNING THE USE OF UNMANNED AERIAL VEHICLES BY THE HARTFORD POLICE DEPARTMENT IN ACCORDANCE WITH THE PROCESSES RECOMMENDED BY THIS RESOLUTION. (ITEM #17 ON AGENDA of May 14, 2018)**

Vote 2-0 in favor of motion taken as follows:

|         |          |
|---------|----------|
| Gale    | - yes    |
| Sanchez | - yes    |
| Deutsch | - absent |
| Fox     | - absent |
| Rosado  | - absent |

|     |     |
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| ... | ... |
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| ... | ... |

Your chair,



John Q. Gale

**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:

Larry Deutsch, MD, Councilperson

ITEM#

15 ON AGENDA

HEADING  
AND  
PURPOSE

ORDINANCE AMENDING CHAPTER. IV, SECTION 17-102-17-110 SALE AND DISTRIBUTION OF TOBACCO/NICOTINE AND OTHER PRODUCTS FOR INHALATION OF THE HARTFORD MUNICIPAL CODE.

Court of Common Council,  
City of Hartford

September 23, 2019

Purpose: To decrease the incidence of harmful or fatal health effects associated with e-cigarettes and vaping by banning the sale of products, equipment, and substances, with or without flavorings, within the City of Hartford., and demonstrate public health leadership towards reducing use of these toxic substances.

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

Ordinance amending Ch. IV, Section 17-102-17-110 of the Hartford Municipal Code:

This Ordinance prohibits the sale, re-sale, donation, distribution, re-distribution, offering of free samples, advertising, or other form of promotion in the City of Hartford of:

a) electronic smoking devices for flavored or unflavored nicotine-containing products or other inhalation substances, with or without additives and flavors having toxic potential, and any others as determined by public health authorities at federal, state, or city levels; and

b) any substances that may be vaporized or aerosolized by such device, whether or not the substance contains, nicotine, flavoring, or other substances; and

c) any component, part, or accessory of a) or b), whether or not any of these contains tobacco, nicotine, or flavoring, including but not limited to filters, rolling papers, blunt or hemp wraps, hookahs, and pipes.

Those engaging in such selling or distribution activities shall be subject to substantial (quantity-related) fines (to be determined) and/or imprisonment.

Those of any age found using such substances in public places including schools shall receive verbal, written, and graphical instruction showing risks and possible consequences of such use, including lung damage, hospitalization, and death.

Effective immediately upon adoption."

**Definitions:**

"Electronic smoking device" means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. Electronic smoking device includes any component, part, or accessory of the device, and also includes any substance that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine. Electronic smoking device does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

"Flavored tobacco product" means any tobacco product that contains a taste or smell, other than the taste or smell of tobacco, that is distinguishable by an ordinary consumer either prior to, or during the consumption of, a tobacco product, including, but not limited to, any taste or smell relating to fruit, menthol, mint, wintergreen, chocolate, cocoa, vanilla, honey, or any candy, dessert, alcoholic beverage, herb, or spice.

"Tobacco product" means:

- 1) any product containing, made of, or derived from tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus;
- 2) any electronic smoking device as defined in this [section, chapter, etc] and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or

"Tobacco product" does not mean drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

**Restriction language:**

It shall be unlawful for any retailer to sell or offer for sale or sample tobacco product.

A public statement or claim made or disseminated by the manufacturer of a tobacco product, or by any person authorized or permitted by the manufacturer to make or disseminate public statements concerning such tobacco product, that such tobacco product has or products a taste or smell other than tobacco shall constitute presumptive evidence that the tobacco product is a flavored tobacco product.

**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 sales 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.

## 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.

## 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.

### **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.

### **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.

### **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.

### **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.

### **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.

## **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.

#### **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.

#### **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.

#### **Liberal Construction**

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

#### **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.

**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 thirty (30) days from the date of adoption.

INTRODUCED BY

COURT OF COMMON COUNCIL

Councilperson Larry Deutsch

9 DECEMBER 2019

WHEREAS, there is evidence that the fire alarm system at Weaver High School fails to adhere fully to current construction standards [for specific wide notification that distinguishes between different types of emergency and correct response of occupants], and

WHEREAS, there is evidence that these standards for public safety were incorporated into construction contract and expectations but in process were not fully adhered to, and when tested shown to fail in such compliance, therefore be it

RESOLVED, that there be priority investigation by any or all of offices of Corporation Counsel, City Council, and Internal Audit Departments, and be it further

RESOLVED, that any and all expenses accruing to remedy these defects and comply with current standards be borne by the general contractor or others designated in construction of this system.