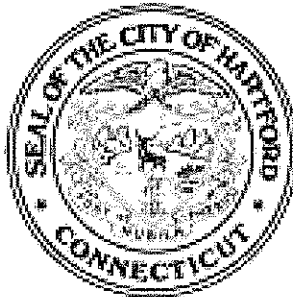


# *COURT OF COMMON COUNCIL*



**MEETING NOVEMBER 12, 2019**

**7:00 P.M.**



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

**AGENDA**  
**MEETING OF THE COURT OF COMMON COUNCIL**  
**November 12, 2019**  
**Approve Minutes October 28, 2019**

**ACTION TAKEN**

**COMMUNICATIONS**

1. MAYOR BRONIN, with accompanying resolution authorizing to accept a grant of \$226,014 per year, over three years, from the State of Connecticut Department of Children and Families for the Hartford Juvenile Review Board program.
2. MAYOR BRONIN, with accompanying resolution authorizing the City to sell 126 and 130 New Park Avenue, 161 Francis Avenue, and 8 Francis Court to the New Samaritan Corporation.  
**HEARING DATE - Monday, December 16, 2019**
3. MAYOR BRONIN, with accompanying resolution authorizing the City to accept a grant from the State of Connecticut Department of Transportation Highway Safety Office.
4. MAYOR BRONIN, with accompanying resolution authorizing the City to accept a grant of \$14,600 from the Connecticut Department of Energy and Environment Protection (DEEP) through its Urban Green and Community Garden initiative. These funds will be passed through to KNOX Inc. to help complete improvements to the community garden located at 122 Enfield Street.
5. MAYOR BRONIN, with accompanying resolution authorizing the City to accept a grant from the State of Connecticut Department of Transportation Highway Safety Office in the amount of \$299,761.05. This grant will be used for impaired driving enforcement.
6. MAYOR BRONIN, with accompanying resolution authorizing the City to sell the property located at 20 Sargeant Street to Express Countertops, Kitchen & Flooring, LLC.
7. MAYOR BRONIN, with accompanying resolution authorizing the City to accept a grant from the State of Connecticut Department of Transportation Highway Safety Office in the amount of \$15,100. This grant will be used for seat belt enforcement.
8. MAYOR BRONIN, with accompanying resolution to approve an agreement between the City of Hartford and a subsidiary of the Housing Authority to correspond with a new agreement between the Housing Authority and the U.S. Department of Housing and Urban Development (HUD).
9. MAYOR BRONIN, with accompanying resolution confirming the appointment of Gloria Brown to the Permanent Commission on the Status of Hartford Women.
10. MAYOR BRONIN, with accompanying resolution confirming the appointment of Rachel (Jae) Aviles and Gregory Chambers to the LGBTQ+ Commission.

**FOR ACTION**

11. 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.
12. Resolution with accompanying report authorizing the City to accept a grant in the amount of \$1.5 million from the State of Connecticut Department of Economic and Community Development for the development of an Albany Avenue neighborhood park.
13. 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.
14. Ordinance amending Chapter Two, Article VIII Section 2-850 Residency Requirements of the Municipal Code.
15. Ordinance amending Chapter 2, Article VI, Division 4, Section 2-352 concerning compensation for nonunion and unclassified executive service classification of the Hartford Municipal Code.

16. 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.
17. 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.
18. Ordinance amending Chapter 2, Article XXIII, Section 2-938 Drones of the Municipal Code.
19. 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.
20. Ordinance Amending Chapter. IV, Section 17-102-17-110 Sale and Distribution of Tobacco/Nicotine Products of the Hartford Municipal Code.
21. Resolution confirming the appointment of Barbara Ng'Ongolo and Komla Matrevi to the Commission on Refugee and Immigrant Affairs.
22. Resolution confirming the appointment of Richard Szczypek to the Zoning Board of Appeals.
23. Ordinance amending Chapter 2, Article XII, Sections 2-761 – 2-784 of Living Wage of the Municipal Code.

**RESOLUTIONS**

24. (COUNCILMAN DEUTSCH) (MINORITY LEADER BERMUDEZ) (COUNCILMAN LAURENT) (COUNCILWOMAN WINCH) Resolution authorizing and directs the transfer of \$200,000 of FY 2019 surplus funds currently in the General Fund to the Department of Health and Human Services and Departments of Public Works and Fire as necessary for these purposes, maintaining OR subtracting from the Administration's proposed \$1.5 million for Capital Improvement Project, with transfer(s) respectfully requested before November 18th, 2019.

**Attest:**

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



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

ITEM # 1 ON AGENDA

November 12, 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: FY 2020-2022 Juvenile Review Board Grant from CT Department of Children and Families**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the City to accept a grant of \$226,014 per year, over three years, from the State of Connecticut Department of Children and Families for the Hartford Juvenile Review Board program. This is a renewal of funding from the State for a program that the City has managed for many years.

This grant will allow the City, through its Department of Families, Children, Youth and Recreation, Division for Youth, and in continued partnership with The Village for Families and Children, to administer the Hartford Juvenile Review Board program from July 1, 2019 through June 30, 2022.

The Juvenile Review Board program aims to decrease the number of youths entering the juvenile justice system by providing education, support, and encouragement. The program funding is available only to the Juvenile Review Boards throughout the state, and their associated municipalities.

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, November 12, 2019

**WHEREAS,** Research shows that youths' early, repeated involvement with the juvenile justice system is associated with negative outcomes throughout life; and

**WHEREAS,** The Juvenile Review Board (JRB) process empowers youth who accept responsibility for their actions to repair the harm they have done to themselves and their community, and to avoid deeper justice system involvement and its lifelong effects; and

**WHEREAS,** The Hartford Juvenile Review Board (Hartford JRB) is an important component of the City of Hartford's efforts to address youth justice by providing effective diversion opportunities for young people; and

**WHEREAS,** The Connecticut Department of Children and Families has designated funding for the City of Hartford in the amount of \$226,014 per year, for three consecutive fiscal years effective from July 1, 2019 through June 30, 2022, to provide a continuum of services for youth; and

**WHEREAS,** The City of Hartford Department of Families, Children, Youth and Recreation, Division for Youth will oversee the coordination and monitoring of the Hartford JRB, and The Village for Families and Children will continue to be the City's primary community-based implementation partner for the Hartford JRB; now, therefore be it

**RESOLVED,** That the Mayor is hereby authorized to accept a grant of \$678,042 from the State of Connecticut Department of Children and Families for the continued operation of the Juvenile Review Board from July 1, 2019 through June 30, 2022; and be it further

**RESOLVED,** That the Mayor is hereby authorized to partner with such stakeholders, community groups, residents, and other organizations as may be necessary to carry out activities under this award, including the Village for Families and Children; 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.



Luke A. Bronin  
Mayor

ITEM # 2 ON AGENDA

November 12, 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: Sale of 126 and 130 New Park Avenue, 161 Francis Avenue, and 8 Francis Court to New Samaritan Corporation**

Dear Council President Thames,

Attached for your consideration is a resolution for consideration by the Court of Common Council (the "Council") which would authorize the City of Hartford ("City") to sell 126 and 130 New Park Avenue, 161 Francis Avenue, and 8 Francis Court (collectively, "The Property") to the New Samaritan Corporation ("New Samaritan").

New Samaritan is an independent 501(c)(3) non-profit corporation with extensive experience in developing a full range of housing for the elderly. It has developed approximately 2,500 units of housing in Connecticut and Massachusetts and is the largest, not-for profit provider of affordable senior housing services in the State of Connecticut.

It is the sponsor of nearly thirty U.S. Department of Housing and Urban Development (HUD) Section 202: Supportive Housing developments for the elderly.

New Samaritan would like to acquire the Property in order to construct a four-story residential building consisting of 22 units. All 22 units would be one-bedroom units receiving rental assistance under HUD's Project Rental Assistance Contract.

The project is designed to support seniors as they grow older, enabling them to age in community. Based on their nearly 50-years of experience in providing affordable senior housing, New Samaritan has worked closely with the project architect to include design features tailored to the senior population. The proposed design includes the following common areas: group physical and occupational therapy room; community room with community warming kitchen; laundry room; resident service coordinator's office; private exam room; media room and activity area.

The inclusion of these spaces will allow for the efficient provision of supportive services, enhancing residents' health, wellness and their ability to age in place.

The cost of the proposed development is approximately \$6.7M. New Samaritan has requested a U.S. Department of Housing and Urban Development (HUD) Section 202 Capital Advance in the amount of \$4,501,900 toward the

550 Main Street  
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Telephone (860) 757-9500  
Facsimile (860) 722-6606

development of the project. In addition to these funds, New Samaritan Corporation voted at their meeting on May 30, 2019 to commit \$2,000,000 toward the development of the proposed project.

To date, New Samaritan Corporation has paid \$32,812.50 for environmental studies on the property which were necessary to submit their application to HUD. Cumulatively, New Samaritan has invested approximately \$165K in the project (inclusive of environmental studies, architectural work, and consulting fees for assembly and submission of the HUD application).

The proposed purchase price is \$87,000. This price reflects the current Fair Market Value of the Property as determined by the City Assessor's Office.

The sale would be contingent upon the approval of New Samaritan's HUD 202 Grant for the construction of senior housing that has been submitted to, and is under review by, the U.S. Department of Housing and Urban Development. A decision is expected from HUD by December 31, 2019.

The project has received the endorsement and support of the Parkville NRZ, and from Representative Minnie Gonzales, 3<sup>rd</sup> District.

Thank you for your consideration.

Respectively submitted,

A handwritten signature in black ink, appearing to read 'LB', with a horizontal line extending to the right.

Luke A. Bronin  
Mayor

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

**COURT OF COMMON COUNCIL**  
City of Hartford, November 12, 2019

**WHEREAS,** New Samaritan Corporation ("New Samaritan") proposes to acquire four city-owned vacant parcels located at 126 and 130 New Park Avenue, 161 Francis Avenue, and 8 Francis Court (collectively, the "Property") for the development and construction of a four-story building comprised of 22 units of senior housing; and

**WHEREAS,** New Samaritan is an independent 501(c)(3) non-profit corporation with extensive experience in developing a full range of housing for the elderly, and has developed approximately 2,500 units of housing in Connecticut and Massachusetts, making them the largest, not-for profit provider of affordable senior housing services in the State of Connecticut; and

**WHEREAS,** New Samaritan proposes to construct the improvements, estimated at approximately \$6.7M, with a U.S. Department of Housing and Urban Development (HUD) Section 202 capital advance in the amount of \$4,501,900, which application is under review by HUD; and

**WHEREAS,** New Samaritan has voted, at their meeting on May 30, 2019, to commit \$2,000,000 toward the development of the proposed project; and

**WHEREAS,** The proposed purchase price is \$87,000, which is the current Fair Market Value of the Property as determined by the City Assessor's Office; and

**WHEREAS,** The sale would be contingent upon the approval of New Samaritan's HUD 202 application that is currently under review, with a decision expected by December 31, 2019; and

**WHEREAS,** The sale will be subject to review and recommendation by the Planning and Zoning Commission in accordance with C.G.S. Section 8-24; and

**WHEREAS,** The project has received the endorsement and support from the Parkville NRZ and Representative Minnie Gonzales, 3<sup>rd</sup> District; now therefore be it

**RESOLVED,** That the Court of Common Council hereby authorizes the Mayor to sell 126 and 130 New Park Avenue, 161 Francis Avenue, and 8 Francis Court to the New Samaritan Corporation as set forth herein, subject to the approval of the Section 202 funding from the U.S. Department of Housing and Urban Development; and be it further

**RESOLVED,** That the Mayor is hereby authorized to execute any and all manner of documents, including easements or rights of way required for utilities, and to take such 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 above-transaction or any 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.



Luke A. Bronin  
Mayor

ITEM # 3 ON AGENDA

November 12, 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: Federal Highway Administration Grant for Intersection Safety Project**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the City to accept a grant in the amount of \$14,341.42 from the State of Connecticut Department of Transportation Highway Safety Office.

The Hartford Police Department will use this funding to cover the cost of overtime dedicated to reducing pedestrian and bicycle-involved crashes. The enforcement will focus on areas identified to have high rates of those crashes. This grant covers 100% of overtime costs and provides the full fringe.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "LB", followed by a horizontal line.

Luke A. Bronin  
Mayor

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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, November 12, 2019

**WHEREAS,** The State of Connecticut Department of Transportation Highway Safety Office awards grants to municipalities for traffic safety enforcement; and

**WHEREAS,** The City of Hartford has traditionally partnered with the State of Connecticut Department of Transportation to reduce fatalities and injuries as a result of pedestrian and bicycle involved crashes; and

**WHEREAS,** Funds from the FY2020 Non-Motorized Enforcement Grant will allow the Hartford Police Department to conduct high visibility enforcement focused on decreasing fatalities and injuries as a result of pedestrian failure to yield to the right of way to vehicles, vehicles not yielding to pedestrian(s) in a cross walk and bicyclist wrong-way riding; and

**WHEREAS,** The federal grant funds cover 100% of the wage and fringe costs; now, therefore be it

**WHEREAS,** The City received a grant to pay for 100% of the construction costs up to a maximum amount of \$3,189,115; now, therefore, be it

**RESOLVED,** That the Mayor is hereby authorized to apply for and accept a grant for enforcement in the amount of \$14,341.42 for overtime from the State of Connecticut Department of Transportation Highway Safety Office; and be it further

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



Luke A. Bronin  
Mayor

ITEM # 4 ON AGENDA

November 12, 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: Enfield Community Garden Grant**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the City to accept a grant of \$14,600 from the Connecticut Department of Energy and Environment Protection (DEEP) through its Urban Green and Community Garden initiative. These funds will be passed through to KNOX Inc. to help complete improvements to the community garden located at 122 Enfield Street.

With these funds, KNOX will increase the gardening space available at the site, opening it up to additional gardeners and community members. As you know, in 2016, Hartford residents voted, through the Hartford Decides participatory budgeting process, to have KNOX to develop additional community gardens. DEEP supported the installation of irrigation systems at the Enfield Street Community Garden under a previous round of the Urban Green and Community Garden initiative.

This grant requires a one-to-one match, which will be fulfilled through in-kind expenses for labor and materials by KNOX.

Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, November 12, 2019

**WHEREAS**, The Connecticut Department of Energy and Environmental Protection (DEEP) has provided the City of Hartford and KNOX, Inc. with a \$14,600 grant for development and management of a community garden at 122 Enfield Street; and

**WHEREAS**, Three entities - the State of Connecticut, the City, and KNOX - are all parties to the agreement; and

**WHEREAS**, Grant funds will be provided to the City by the State on a reimbursement basis and the City will transfer funds to KNOX once costs are incurred by KNOX; and

**WHEREAS**, Match funding not less than 50% of the total project cost, as required for this grant, will be provided through a mix of in-kind expenses and cash by KNOX, and will be tracked and reported on throughout the course of the grant period, now, therefore, be it

**RESOLVED**, That the Mayor is hereby authorized to execute, on behalf of the City of Hartford, a Personal Services Agreement under the Open Space and Watershed Land Acquisition Program with the State of Connecticut for financial assistance authorized by Public Act 2005-228 Section 6(3) to acquire, reclaim or enhance open space for passive recreation; and be it further

**RESOLVED**, That this project (Enfield Street Community Garden UGCG-32 2019) is to be managed as open space land pursuant to Section 7-131d of the Connecticut General Statutes; 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.



Luke A. Bronin  
Mayor

ITEM # 5 ON AGENDA

November 12, 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: FY 2020 Comprehensive DUI Enforcement Program for Municipal Police Department**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the City to accept a grant from the State of Connecticut Department of Transportation Highway Safety Office in the amount of \$299,761.05. This grant will be used for impaired driving enforcement.

The Hartford Police Department will use this funding to cover the cost of overtime dedicated to reducing impaired driving, which can result in serious injuries. Enforcement will be conducted citywide. This grant covers 100% of overtime costs and provides the full fringe.

Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, November 12, 2019

**WHEREAS,** The State of Connecticut Department of Transportation Highway Safety Office awards grants to municipalities for traffic safety enforcement; and

**WHEREAS,** The City of Hartford has traditionally partnered with the State of Connecticut Department of Transportation to reduce the number of impaired drivers causing death, injuries and property damage; and

**WHEREAS,** Funds from the FY2020 Comprehensive D.U.I. Enforcement Program for Municipal Police Department to conduct high visibility enforcement focused on reducing the volume of impaired drivers; and

**WHEREAS,** The federal grant funds cover 100% of the wage and fringe costs; now, therefore be it

**RESOLVED,** That the Mayor is hereby authorized to apply for and accept a grant for enforcement in the amount of \$299,761.05 for overtime from the State of Connecticut Department of Transportation Highway Safety Office; 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.



**Luke A. Bronin**  
Mayor

ITEM # 6 ON AGENDA

November 12, 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: 20 Sargeant Street -- Tax Lien Sale**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the City to sell the property located at 20 Sargeant Street to Express Countertops, Kitchen & Flooring, LLC.

The outstanding tax liens date back to the 2010 Grand List and total \$1,599,415.78. Outstanding, but not yet liened taxes amount to \$128,655. A full accounting of back taxes is listed in Exhibit A. Express Kitchens will pay a significant portion of the tax liens, totaling \$639,766.31, in four equal installments over a four-year period. Express Kitchens would be required to pay the taxes on the property going forward, beginning with the 2018 Grand List installments.

Approval of the proposed tax lien sale will result in a payment to the City of a portion of the outstanding taxes and place the property in the hands of a prospective owner who will use the property and ensure that taxes going forward are paid.

Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

## Exhibit A

Grand List Year	Balance Due
2010	\$173,070.16
2011	\$239,632.14
2012	\$242,715.18
2013	\$244,047.52
2014	\$201,031.45
2015	\$180,177.65
2016	\$170,531.32
2017	\$148,210.36
2018	\$128,655.00
<b>Total</b>	<b>\$1,727,140.00</b>

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

**COURT OF COMMON COUNCIL**  
City of Hartford, November 12, 2019

**WHEREAS**, Express Countertops, Kitchen & Flooring, LLC ("Express Kitchens") wishes to purchase the outstanding tax liens on the property located at 20 Sargeant Street (the "Property"); and

**WHEREAS**, The Property consists of a 3-story office building, on approximately 3.63 acres, with a portion of the property being occupied by a number of commercial tenants; and

**WHEREAS**, The amount of tax liens on the Property that are outstanding date back to the 2010 Grand List and total \$1,599,415.78. The outstanding tax liens are listed on the attached **Exhibit A**; and

**WHEREAS**, Express Kitchens wishes to purchase the tax liens from the City at 40% of the value of the outstanding liens. The proposed payment of \$639,766.31 would be paid in four equal installments over a four (4) year period. Express Kitchens would be required to pay the taxes on the Property going forward, commencing with the 2018 Grand List installments; and

**WHEREAS**, Once the tax liens are acquired, Express Kitchens plans to take steps to acquire the Property and subsequently occupy a portion of the vacant space within the building for use as a storage facility in support of its operation; and

**WHEREAS**, Approval of the proposed tax lien sale will result in payments to the City of a portion of the outstanding taxes and will subsequently place the property in the hands of a prospective responsible owner capable of maintaining it and paying taxes going forward; now, therefore be it

**RESOLVED**, That the Court of Common Council hereby authorizes the sale of the 2010-2017 tax liens on 20 Sargeant Street to Express Countertops, Kitchen & Flooring, LLC, or to explore other transactions resulting in the payments described herein, resulting in ownership transferring to Express Kitchens, in accordance with the terms herein; and be it further

**RESOLVED**, That the Corporation Counsel and Mayor require terms of such transactions to prevent the immediate sale for profit of the liens or the Property by Express Kitchens and to require the return of the liens to the City in the event that Express Kitchens does not acquire ownership before November 12, 2021; 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 transactions; 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.



**Luke A. Bronin**  
Mayor

ITEM # 7 ON AGENDA

November 12, 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: FY 2018-2019 Click-It or Ticket Seat Belt Enforcement Program**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the City to accept a grant from the State of Connecticut Department of Transportation Highway Safety Office in the amount of \$15,100. This grant will be used for seat belt enforcement.

The Hartford Police Department will use this funding to cover the cost of overtime dedicated to reducing unbelted crashes, which can result in serious injuries. Enforcement will be conducted citywide. This grant covers 100% of overtime costs and provides the full fringe.

Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, November 12, 2019

**WHEREAS,** The State of Connecticut Department of Transportation Highway Safety Office awards grants to municipalities for traffic safety enforcement; and

**WHEREAS,** The City of Hartford has traditionally partnered with the State of Connecticut Department of Transportation to reduce the number of vehicle occupants not wearing seat belts causing injuries and death; and

**WHEREAS,** Funds from the FY2019-2020 Click-It or Ticket Seat Belt Enforcement Program will allow the Hartford Police Department to conduct high visibility enforcement focused on reducing the vehicle occupants not wearing seat belts; and

**WHEREAS,** The federal grant funds cover 100% of the wage and fringe costs; now, therefore be it

**RESOLVED,** That the Mayor is hereby authorized to apply for and accept a grant for enforcement in the amount of \$15,100.00 for overtime from the State of Connecticut Department of Transportation Highway Safety Office; 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.



ITEM # 8 ON AGENDA

**Luke A. Bronin**  
Mayor

November 12, 2019

Honorable Glendowlyn Thames, Council President and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, Connecticut 06103

**RE: Cooperation Agreement with the Housing Authority of Hartford and CHADCO**

Dear Council President Thames,

Attached for your consideration is a resolution to approve an agreement between the City of Hartford and a subsidiary of the Housing Authority to correspond with a new agreement between the Housing Authority and the U.S. Department of Housing and Urban Development (HUD).

As you may know, the Housing Authority operates 88 units of low- and moderate-income housing on the site of the former Nelton Court. The Housing Authority is planning to change its the nature of HUD's support for this housing, shifting from paying a direct subsidy to permanent project-based Section 8 funding. The Housing Authority will transfer ownership to CHADCO, a nonprofit corporation which it owns and controls. The Housing Authority has requested this Operating Agreement in order to meet the requirements of the HUD transaction.

As a result of this agreement, the City of Hartford will begin receiving PILOT payments on property that to this point has been tax exempt. The agreement has a term of 30 years, with one renewal. The payments will range from \$250 up to \$650 per unit per year, with potential increases to a range of \$500 up to \$900 per unit per year. The rates are in ranges based on the income of the tenants.

The Department of Development Services is happy to answer any questions you may have. Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, November 12, 2019

**WHEREAS**, The Housing Authority of Hartford has built and maintains 88 units of low and moderate- income housing on the property formerly known as Nelton Court; and

**WHEREAS**, the property includes 2471 Main Street, 13-15 Nelson Street, 17-19 Nelson Street, 21 Nelson Street and 25 Nelson Street (all together, the "Property"); and

**WHEREAS**, as a result of a pending transaction with HUD, the Housing Authority will be transferring ownership of the Property to CHADCO, a nonprofit owned and controlled by it; and

**WHEREAS**, Connecticut statutes exempt such property from real estate taxes but allow voluntary PILOT agreements; and

**WHEREAS**, also as a result of its transaction with HUD, the Housing Authority has requested a Cooperation Agreement between the City of Hartford and CHADCO providing for PILOT payments on the Property; and

**WHEREAS**, the proposed agreement will have the following terms: a Term of thirty years, with one thirty- year renewal; PILOT payments in starting ranges from \$250 to \$650 per unit per year; possible escalation in ranges from \$500 to \$900 per unit per year; the City will have the right to audit records of the Housing Authority and CHADCO to verify tenant income; now, therefore, be it

**RESOLVED**, that the Mayor is authorized to execute any and all manner of other documents and to take such other actions as he and the Corporation Counsel may deem appropriate and in the best interest of the City in order to effectuate the above transaction, and be it further

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

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



ITEM # 9 ON AGENDA

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

November 12, 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: Appointment to the Permanent Commission on the Status of Hartford Women**

Dear Council President Thames,

Attached for your consideration is a resolution confirming my appointment of Gloria Brown to the Permanent Commission on the Status of Hartford Women.

The purpose of the Commission is to assist in the elimination of gender-based discrimination and help improve the status of women in Hartford. The Commission is charged with studying the conditions of Hartford women and making findings and recommendations to the Mayor and Council.

Ms. Brown is a Reverend that has been supporting the work of the commission for the past few months. She holds a Bachelors, Masters and Doctoral degree from North Carolina College of Theology.

I am pleased to appoint Ms. Brown to the Permanent Commission on the Status of Hartford's Women. Her resume is attached for your review.

Thank you for your consideration.

Respectively submitted,

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

Luke A. Bronin  
Mayor

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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, November 12, 2019

**WHEREAS,** The Permanent Commission on the Status of Hartford Women is charged with assisting in the elimination of gender-based discrimination and helping to improve the status of women in the city of Hartford, and

**WHEREAS,** The Commission is composed of twenty members, who shall be appointed by the Mayor and confirmed as members by the Court of Common Council, for a term of two years, and

**WHEREAS,** The Mayor has appointed Gloria Brown to the Permanent Commission on the status of Hartford Women; now, therefore be it

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

Gloria Brown (D) – Replacing Annette Medero  
30 Woodland Street Apt #8-D, Hartford, CT 06105  
For a term expiring November 12, 2021



ITEM # 10 ON AGENDA

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

November 12, 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 LGBTQ+ Commission**

Dear Council President Thames,

Attached for your consideration is a resolution confirming the appointment of Rachel (Jae) Aviles and Gregory Chambers to the LGBTQ+ Commission.

The purpose of the Commission is to assist in the elimination of bigotry, discrimination and prejudice against individuals of the lesbian, gay, bisexual, transgender, and questioning community in the city of Hartford. The Commission may do so by making recommendations to the Council on policies, services, goals, and administration and their impact on the LGBTQ+ community as well as holding public forums, providing and gathering information, and serving as a clearinghouse for information and resources.

Mx. Aviles has worked as a program facilitator for the Re Center Race & Equity Education and holds a Bachelor of Arts degree in Communications from Pace University.

Mr. Chambers serves as the chair of the diversity, equity, and inclusion committee through BlumShapiro and has a Bachelor of Arts in American Studies from Tufts University.

I am pleased to appoint these committed individuals to this important commission. Their resumes are attached for your review.

Thank you for your consideration.

Respectively 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, November 12, 2019

**WHEREAS,** The LGBTQ+ Commission assists in the elimination of bigotry, discrimination and prejudice against individuals who are lesbian, gay, bisexual, transgender, queer, and/or questioning, and

**WHEREAS,** The Commission is composed of fifteen members, who shall be appointed by the Mayor and confirmed as members by the Court of Common Council, for a term of three years, and

**WHEREAS,** The Mayor has appointed Rachel (Jae) Aviles and Gregory Chambers to the LGBTQ+ Commission; now, therefore be it,

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

Rachel (Jae) Aviles (D) – Vacancy  
535 Hillside Avenue, Hartford CT, 06106  
For a term expiring November 12, 2022

Gregory Chambers (D) – Vacancy  
81 Ridgefield Street, Hartford CT, 06112  
For a term expiring November 12, 2022

# 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  
rJo 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.

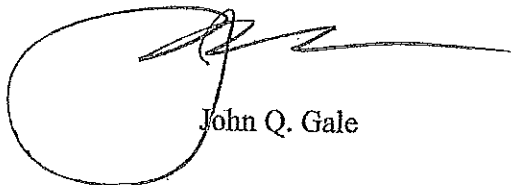
After due consideration, the following action was taken:

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,



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.

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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 be "Luke A. Bronin", is written over a horizontal line.

Luke A. Bronin  
Mayor

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

**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.

# Court of Common Council

CITY OF HARTFORD  
550 MAIN STREET  
HARTFORD, CONNECTICUT 06103



## *Planning, Economic Development & Housing Committee*

*John Q. Gale, Chair*  
*Wildaliz Bermúdez*  
*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:

### AGENDA

1. **COMMUNICATION FROM MAYOR BRONIN, with accompanying resolution authorizing the City to accept a grant in the amount of \$1.5 million from the State of Connecticut Department of Economic and Community Development for the development of an Albany Avenue neighborhood park. (Agenda item #1, meeting of September 9, 2019)**

Don Chapman from Development Services reported to the Committee that this project has been in the works for 5 years or so, after money originally received for a Blue Hills police substation was allowed to be repurposed following a decision not to go forward with the substation. All community stakeholders have had input solicited and seem comfortable and supportive of moving forward on the project.

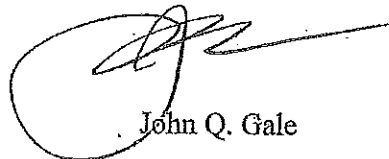
After due consideration, the following action was taken:

Motion by Councilwoman Maly D. Rosado and second by Councilman Gale to send back to Council with a *favorable* recommendation for adoption of the Resolution.

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 handwritten signature in black ink, appearing to be 'John Q. Gale', written over a circular stamp or seal.

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: Albany Avenue Neighborhood Park Grant**

Dear Council President Thames,

Attached for your consideration is a resolution authorizing the City to accept a grant in the amount of \$1.5 million from the State of Connecticut Department of Economic and Community Development for the development of an Albany Avenue neighborhood park. The Council previously considered an item regarding this grant, and we are requesting consideration of this item regarding the same grant due to clarifications in the resolution required by the State.

With support from the State of Connecticut, the City will transform City-owned land on the north side of Albany Avenue between Magnolia Street and Irving Street into a multi-purpose neighborhood park. Now largely vacant, this plot will be home to seating, plantings, a jogging track, athletic court, greenspace and more. Initial plans for the park have been developed in consultation with residents. Furthermore, this new neighborhood park will leverage streetscape improvements made nearby, further enhancing the city's investment in this neighborhood.

Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

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

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

**WHEREAS,** The State of Connecticut Department of Economic and Community Development has awarded an Urban Act Grant of \$1,500,000.00 to the City of Hartford to be used for a neighborhood park on Albany Avenue; and

**WHEREAS,** The neighborhood park will revitalize a largely vacant, city-owned plot between Irving and Magnolia Streets; and

**WHEREAS,** Initial plans for the neighborhood park have been developed in consultation with residents, and will include a recreational jogging track, seating areas, planters, green space, athletic court and more; now, therefore be it

**RESOLVED,** That the Court of Common Council authorizes the Mayor to accept grant funding in the amount of \$1,500,000.00 from the State of Connecticut Department of Economic and Community Development, Urban Act Grant program to plan and construct a neighborhood park on Albany Avenue; 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, and for the same purposes; and be it further

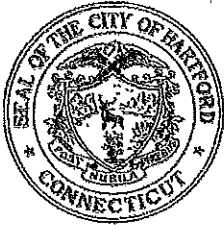
**RESOLVED,** That the Mayor is authorized to execute any and all manner of other documents and to take such other actions as he and the Corporation Counsel may deem appropriate and in the best interests of the City in order to receive, contract and expend the above referenced grant funds; and be it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

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

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

# 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, written in a stylized, cursive manner.

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.

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

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

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

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

This ordinance shall take effect upon adoption.

Introduced by: THOMAS J. CLARKE II, COUNCILMAN

HEADING  
AND  
PURPOSEAN ORDINANCE AMENDING CHAPTER 2, ARTICLE VI, DIVISION 4,  
SECTION 2-352<sup>1</sup> OF THE HARTFORD MUNICIPAL CODECOURT OF COMMON COUNCIL,  
CITY OF HARTFORDFebruary 13, 2018

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

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

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

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

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

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

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

Ordinance shall take effect upon adoption.

<sup>1</sup> Ord. No. 19-08, 7-14-08; Ord. No. 17-11, 5-23-11.

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 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

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.

## **Hartford Proposed Surveillance Technology and Drone Ordinance Summary**

### **Sec. 2-48. – City Council’s power to protect city residents regarding surveillance technology.**

#### **Subsection (a) - Definitions**

Provides definitions for the entire section. “Discriminatory,” “disparate impact,” “municipal entity,” “surveillance data,” “surveillance technology,” “unmanned aerial vehicle,” and “viewpoint-based” are defined. The word “contrivance,” as used in the definition of “unmanned aerial vehicle,” means device.

#### **Subsection (b) – City Council Approval of Surveillance Technology and Public Hearings**

Requires a municipal entity to get approval from City Council before seeking funds for, preparing to acquire, or borrowing new surveillance technology or using new or existing surveillance technology in a way that has not been approved by City Council.

Requires City Council to hold a public hearing before giving approval to a municipal entity. If City Council doesn’t hold a hearing within 120 days of the start of the approval process, the inaction is deemed a rejection.

Allows City Council to ask for more information at any time before giving approval.

#### **Subsection (c) – Surveillance Impact Reports and Surveillance Use Policies**

Requires a municipal entity to submit and make publicly available a Surveillance Impact Report and a Surveillance Use Policy regarding the surveillance technology for which it is seeking City Council’s approval before using the technology.

Allows City Council to request that the municipal entity make revisions to its report or policy before it approves or rejects them.

#### **Subsection (d) – Surveillance Impact Reports**

Lists components that a municipal entity must include in a Surveillance Impact Report. Components include the description, purpose, and cost of technology; where it will be used; and an assessment of potential impacts on civil liberties and rights and how the public will be safeguarded.

#### **Subsection (e) - Surveillance Use Policies**

Lists components that a municipal entity must include in a Surveillance Use Policy, a written policy governing the municipal entity’s use of the surveillance technology. Components include the purpose, specific uses of the technology, data collection, data protection, data retention, surveillance data sharing and access, auditing and oversight, and complaints.

#### **Subsection (f) – Continued Use of Surveillance Technology Acquired before Effective Date**

Requires a municipal entity to commence a City Council approval process within 120 days of the ordinance’s effective date if it wants to continue to use surveillance technology that was in use prior to the ordinance’s effective date.

Requires a municipal entity to stop using surveillance technology and sharing surveillance data if City Council does not approve its continued use of the technology, including the Surveillance Impact Report and Surveillance Use Policy, within 180 days of their submission to City Council. A municipal entity may use the technology once it has City Council’s approval.

#### **Subsection (g) – Lead Municipal Entity**

Requires the identification of a lead municipal entity if more than one entity will have access to the surveillance technology or data. The lead entity is responsible for maintaining the technology and ensuring compliance with laws, regulations, and protocols.

#### **Subsection (h) – City Council's Approval**

Allows City Council to approve requests regarding surveillance technology only if (1) the benefits of the technology outweigh the costs, (2) the proposal will safeguard civil liberties and rights, and (3) the surveillance technology will not be used in a discriminatory manner that causes a disparate impact on any community or group.

Makes clear that City Council's approval of a proposal that identifies potential civil liberties or rights impacts is an acknowledgement that the risk exists and must be proactively avoided.

#### **Subsection (i) – Annual Surveillance Report**

Requires a municipal entity with approval to use surveillance technology to submit an Annual Surveillance Report for each specific surveillance technology used in the year after City Council's approval to City Council and annually before March 15.

Lists required Annual Surveillance Report components, including a summary of how the technology was used, information about the sharing of data, where the technology was deployed geographically, information about the technology's use to monitor Internet activity, complaints received, internal audits, an analysis of discriminatory impacts the use may have had on the public's civil liberties and rights, and the total annual costs for the technology.

#### **Subsection (j) – Engagement Meetings**

Requires the municipal entity, within 30 days of submitting and publicly releasing its Annual Surveillance Report, to hold one or more community engagement meetings where the general public can discuss and ask questions about the Annual Surveillance Report and the use of the technologies.

#### **Subsection (k) – Annual Surveillance Reports Approval**

Requires City Council to review each Annual Surveillance Report within 3 months of its submission. After the date by which the review is required, City Council must take a vote at the next meeting where there is quorum to determine, based on an Annual Surveillance Report, whether surveillance technology has met the standard for approval. If it has not met the standard for approval, City Council must determine by a vote whether the use of the surveillance technology should be discontinued or if it will require modifications to the Surveillance Use Policy to resolve the issues. All determinations must be made by a majority vote of City Council.

The president or majority leader of City Council must direct the Hartford Corporation Counsel's Office to send a letter, within 7 days, notifying the entity to that it may continue its use of the technology, it must stop using the technology, or it must make modifications to its Surveillance Use Policy.

#### **Subsection (l) – City Council Annual Report**

Requires City Council to release, not later than January 31 of each year, an annual public report that contains the number of requests submitted, the number of approvals and rejections, the number of requested modifications of Surveillance Impact Reports and Surveillance Use Policies, and all Annual Surveillance Reports submitted to the City Council.

#### **Subsection (o) – Use of Surveillance Technology by Municipal Employees or Agents**

Prohibits municipal employees or agents from using the technology in a manner that is inconsistent with the policies City Council approved and prohibits the use of the technology in a manner that is discriminatory, viewpoint-based, or violates the Hartford Charter, CT Constitution, or U.S. Constitution. An employee who violates the ordinance may be subject to disciplinary proceedings and punishment.

#### **Subsection (q) – Whistleblower Protection**

Prohibits a municipal entity from retaliating against an employee or applicant because they assist in disclosing information to a municipal agency about a violation of the ordinance.

**Subsection (r) -- Contracts/Agreements in Conflict with Ordinance**

Prohibits Hartford or a municipal entity from entering into a contract or agreement that conflicts with the ordinance. Deems void and legally unenforceable any such contract or agreement, whether signed before or after the effective date of the ordinance.

**Subsection (s) -- Selling Data**

Prohibits Hartford or a municipal entity from entering into a contract or agreement to receive money or other forms of consideration for providing surveillance data to non-governmental entities.

**Subsection (t) -- Severability**

States that if any part of the ordinance is found to be invalid, the other parts of it will continue to be valid.

**Subsection (u) -- Effective Date**

Requires ordinance to take effect upon adoption.

## **Sec. 2-49. – Use of drones by City employees.**

### **Subsection (a) - Definitions**

Provides definitions for the entire section. “Employee,” “employee of the Hartford Fire Department,” “law enforcement officer,” “municipal entity,” and “unmanned aerial vehicle” are defined. The word “contrivance,” as used in the definition of “unmanned aerial vehicle,” means device.

### **Subsection (b) – Individual Prohibitions, Municipal Citation for Violation**

Prohibits an individual, unless otherwise provided by law, from operating or using any computer software or other technology, including a drone, to (1) release tear gas or a similar deleterious agent or (2) remotely control a deadly weapon, explosives, or an incendiary device. An exception is given for a person performing their duties as a law enforcement officer.

Allows the issuance of a municipal citation to a person who violates this subsection and requires that any person issued such a citation be subject to a fine of \$1,000. Allows a person issued such a citation to appeal the citation to a hearing officer within 10 days of receipt. Requires the Hartford chief of police to enforce this subsection.

### **Subsection (c) – City Employee Prohibitions**

Prohibits a city employee from operating a drone to (1) release tear gas or a similar deleterious agent or (2) remotely control a deadly weapon, explosives, or an incendiary device.

An exception is given for a law enforcement officer who operates a drone equipped with explosive detection, detonation, or disposal equipment, if the officer is authorized by the federal or state government to detect, detonate, and dispose of explosives and the officer is engaged in that activity.

### **Subsection (d) – City Employee Drone Use Exceptions**

Prohibits a city employee’s use of a drone 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 authorizing the use; 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 a drone. The Hartford Police Department must submit a credible risk report to the City Council within 30 days if a drone is used under the exigent circumstances exception.

(2) The city employee is a law enforcement officer or Hartford Fire Department employee, 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.

(3) The individual who will be the subject of the information collected by the operation of a drone has given advance written consent, if the person 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 the drone has given advance written consent to its use.

(5) The operation is used for a permitted public event that has requested public safety assistance and has over 10,000 registered participants. Event promoters and organizers must notify registered participants at least 1 day in advance that the city will use drones during the event.

(6) Prohibits the operation of drones at or near venues that house children under 18 unless there is a warrant for a specific individual. If there is such a warrant, the entity is required to take steps to protect the confidentiality of all others under 18.

#### **Subsection (e) – Individual or Property as Subject of Information**

Provides that an individual or privately owned property is considered to be the subject of information collected by the operation of a drone when (1) the information collected allows the identity of the person or property to be ascertained or (2) the city employee operating the drone acknowledges that the person or property was the subject.

#### **Subsection (f) – Retention of Information Collected Pursuant to Warrant**

Allows information collected through drone use that concerns a person or privately owned property that was the subject of a warrant [(d)(1)(A)] to be retained pursuant to the warrant.

#### **Subsection (g) – Retention of Information Collected Pursuant to Written Consent**

Allows information collected through drone use where the individual who is the subject or the owner of property that is the subject gave advance written consent [(d)(3) and (d)(4)] to be retained pursuant to the advance written consent.

#### **Subsection (h) – Review, Retention, and Modification of Information**

- (1) Requires information collected through drone use where the officer had probable cause to believe that a criminal offense had been, was being or would be committed and exigent circumstances made it unreasonable to obtain a warrant [(d)(1)(B)]; the operation was pursuant to training activities [(d)(2)(A)]; the operation was used to reconstruct or document a specific crime or accident scene, motor vehicle accident, or hazardous materials accident [(d)(2)(B)]; the operation was used to assist and manage pre-fire planning, high-rise fires, commercial and residential fires, and post-fire investigations [(d)(2)(C)]; the operation 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 [(d)(2)(D)]; or the operation was used for a permitted public event that had requested public safety assistance and had over 10,000 registered participants [(d)(5)], that concerns an individual or privately owned property to be reviewed by the municipal entity within 30 days after its collection.
- (2) The information must be destroyed within 48 hours of the review or must be modified so that the identity cannot be ascertained if the identity of a person or privately owned property can be ascertained and there is no probable cause to believe an offense was committed by the person or on the property. If the information is modified, the information may be retained for no more than 5 years after collection and then must be destroyed.
- (3) The information may be retained for no more than 5 years after collection and then must be destroyed if the identity of a person or privately owned property can be ascertained and there is probable cause to believe an offense was committed by the person or on the property. If a warrant is issued based in part on such information, though, it may be retained pursuant to the warrant.
- (4) Prohibits municipal entities and city employees from analyzing information a drone collected by using facial recognition or appearance similarity video synopsis software.

### Review, Retention, and Modification of Information

<b>Drone Use Exception</b>	<b>Information Collected</b>	<b>Review</b>	<b>Retention</b>	<b>Modification</b>
<b>Warrant,</b> Exception (d)(1)(A)	Concerns an individual or privately owned property that is subject of warrant, Subsection (f)	Not applicable, unless specified in warrant	Pursuant to warrant, Subsection (f)	Not applicable, unless specified in warrant
<b>Advance written consent by individual or property owner,</b> Exceptions (d)(3), (d)(4)	Concerns an individual or privately owned property, Subsection (g)	Not applicable, unless specified in advance written consent	Pursuant to advance written consent, Subsection (g)	Not applicable, unless specified in advance written consent
<b>Exigent circumstances,</b> Exception (d)(1)(B)  <b>Training activities,</b> Exception (d)(2)(A)  <b>Reconstruction of scenes and accidents,</b> Exception (d)(2)(B)  <b>Pre-fire planning, fires, and post-fire investigations,</b> Exception (d)(2)(C)  <b>Severe weather emergencies and search and rescue missions,</b> Exception (d)(2)(D)  <b>Public event,</b> Exception (d)(5)	Concerns an individual or privately owned property, Subsection (h)	Not later than 30 days after collection, Subsection (h)	If identity of individual or privately owned property can be ascertained  <b>AND</b>  (1) No probable cause to believe offense was committed by individual or on property: (a) Destroy within 48 hours of review (within 32 days after collection)  <b>OR</b> (b) Modify permanently so identity can't be ascertained (then can retain for 5 years from date of collection before destroying)  (2) Probable cause to believe offense was committed by individual or on property: (a) Retain for 5 years from date of collection before destroying,  Subsection (h)	

#### **Subsection (i) – Municipal Entity Policies and Employee Training**

Requires all Hartford municipal entities to develop and maintain a written policy that meets or exceeds the ordinance's policies within 90 days of the ordinance's adoption.

Requires all city employees who operate drones to complete a Federal Aviation Administration (FAA) approved training program, and requires a municipal entity to obtain all applicable authorizations, permits, and/or certifications required by the FAA before using drones.

#### **Subsection (j) – Incident Report Form**

Requires each municipal entity to create a drone incident report form within 90 days of the ordinance's adoption and lists required components of the form. A form must be completed within 7 days of each city employee's use of a drone.

Requires a municipal entity that completed any drone incident reports after the adoption of the ordinance to submit its reports to the City Council 180 days after the adoption of the ordinance. Requires a municipal entity to submit its reports quarterly to City Council after the first submission of reports.

Requires a municipal entity to provide, within 7 days, an incident report or reports to the City Council if a City Council member requests the report or reports.

**Subsection (k) – Annual Surveillance Reports**

Requires each municipal entity that uses a drone to include specific information about its drone use for the previous year in its Annual Surveillance Report; which is required earlier in the ordinance by (i) of Section 2-48.

**Subsection (l) – Liability insurance**

Requires the City of Hartford to acquire a liability insurance for the unmanned aerial vehicles.

**Subsection (m) – Effective Date**

Requires ordinance to 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.

# Court of Common Council

ITEM#

19

ON AGENDA

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 Sanchez, Majority Leader  
John Q. Gale, Assistant Majority Leader  
Wildaliz Bermúdez, Minority Leader

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

John V. Bazzano, Town and City Clerk

## REPORT

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:

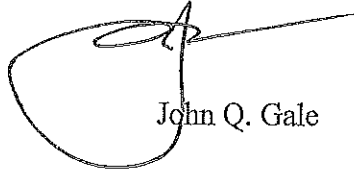
Motion by Councilman Gale and seconded by Councilman Sanchez to send the following Agenda item back to Council with a favorable recommendation:

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

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

**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# 20 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.



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

September 23, 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 Commission on Refugee and Immigrant Affairs**

Dear Council President Thames,

Attached for your consideration is a resolution confirming the appointment of Barbara Ng'Ongolo and Komla Matrevi to the Commission on Refugee and Immigrant Affairs.

The Commission on Refugee and Immigrant Affairs is charged with facilitating civic engagement among refugee and immigrants and to recognize and legitimize issues of importance to new arrivals. The Commission shall advise the Court of Common Council and the administration on policies that impact the refugee and immigrant populations in the City. They will also act as a clearing house for resources that would benefit the refugee and immigrant community.

Ms. Ng'Ongolo currently serves as a youth mentoring program coordinator for Catholic Charities in Hartford. She is also a medical Swahili interpreter for Certified Languages International. She has an associate degree from The City University of New York.

Mr. Matrevi is an immigrant rights attorney for KGM Law PLLC here in Hartford. He also served as a legal executive assistant for the Honorable George Jepsen, Attorney General for the State of Connecticut. He has a law degree from the University of Connecticut.

Their resumes are attached for your review. Thank you for your consideration.

Respectively 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, September 23, 2019

**WHEREAS,** The Commission on Refugee and Immigrant Affairs will serve as ambassadors to the various refugee and immigrant populations within the City of Hartford; and

**WHEREAS,** The Commission is composed of twenty-one members whereas a majority of those members are residents of Hartford; and

**WHEREAS,** Membership shall not be restricted to U.S. citizens; and

**WHEREAS,** Appointed commissioners serve a term of two years; and

**WHEREAS,** The Mayor has appointed Barbara Ng'Ongolo and Komla Matrevi to the Commission on Refugee and Immigrant Affairs; now, therefore, be it

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

Barbara Ng'Ongolo (U) – Replacing Cheryl Zeiner  
75 Oxford Street #D5, Hartford CT, 06105  
For a term expiring September 23, 2022

Komla Matrevi (D) – Replacing Mui Mui Hin-McCormick  
24 Park Place #7H, Hartford CT, 06106  
For a term expiring September 23, 2022



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

September 23, 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 Zoning Board of Appeals**

Dear Council President Thames,

Attached for your consideration is a resolution confirming the appointment of Richard Szczypek to the Zoning Board of Appeals.

The Zoning Board of Appeals is composed of five regular members and three alternates. The regular members serve five-year terms and the alternates serve three-year terms. The ZBA hears and decides appeals of actions taken by the zoning official and hears and decides requests for variances to Hartford's zoning regulations, always assuring that the public safety and welfare is secured.

Mr. Szczypek is an architect registered in both Connecticut and Massachusetts. He has a Bachelor of Architecture from Syracuse University and is a graduate of the EMBA Program at the University of New Haven.

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", is written over a horizontal line.

Luke A. Bronin  
Mayor

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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, September 23, 2019

**WHEREAS,** The Zoning Board of Appeals is charged with hearing and deciding appeals of zoning orders and variances from Hartford's zoning regulations; and

**WHEREAS,** The Commission is composed of five members which serve a term of five years and three alternates which serve a term of three years; and

**WHEREAS,** The Mayor has appointed Richard Szczypek to the Zoning Board of Appeals; now therefore be it,

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

Richard Szczypek (I) – Replacing Gail Billet  
36 Lewis Street #E, Hartford CT, 06103  
For a term expiring September 23, 2024

Introduced by:

ITEM# 23 ON AGENDA

HEADING  
AND  
PURPOSE

Larry Deutsch, MD, Councilperson

REPLACEMENT

ORDINANCE AMENDING CHAPTER 2, ARTICLE XII, SECTIONS 2-761 – 2-784 OF LIVING WAGE OF THE MUNICIPAL CODE.

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

October 28, 2019

Sec. 2-761. - Purpose.

It is the purpose of this article to establish a living wage for all City and Board of Education full-time employees and covered workers employed to perform work associated with covered contracts as defined herein and for development projects with the City.

*Findings.* The court of common council finds and declares that the purpose of this living wage ordinance, as well as the welfare of the City and its residents, require additional provisions to ensure that the anticipated economic benefits of such ordinance inure to the benefit of the City and its people and that the City is protected from potential loss due to labor unrest and conflict.

(Ord. No. 06-10, 3-22-10)

Sec. 2-762. - Definitions.

As used in this article, the following terms have the meanings indicated unless the context clearly requires a different meaning:

*Affordable housing* means housing for families and individuals whose income does not exceed eighty (80) percent of area income as defined by the department of housing and urban development.

*City* means the municipality of the City of Hartford or any office, agency, board, commission, department, including Hartford Public Schools, or other entity thereof, or any successor thereto.

*Development project* means a project that is:

(1) Subsidized or paid in whole or in part in excess of one hundred thousand dollars (\$100,000.00) from: the City's general fund, capital project funds, City loans, tax abatement agreements, a tax increment financing agreement, state or federal money funneled through or otherwise administered by the City, pension fund money, municipal trust funds or the sale of municipal bonds. Projects dealing

with single-family residences, affordable housing or commercial real estate development with a total project cost less than five million dollars (\$5,000,000.00), shall not be considered development projects for purposes of this article.

(2) A real estate development the cost of which exceeds twenty-five thousand dollars (\$25,000.00) on City-owned land.

*Development project manager* means a person or entity which/who owns a piece of real estate on a location where a development project is located under agreement, or a person or entity which/who has a leasehold interest of twenty (20) or more years in a property where a development project is located under agreement.

*Covered employer* means all covered contractors and development project managers, whether an individual, corporation, partnership, joint venture or other entity, except that covered employer does not mean a not for profit entity organized pursuant to the United States Internal Revenue Code, which employs twenty-five (25) or fewer year-round employees in the City. All covered employers shall be equal opportunity employers within the meaning of the procurement ordinances of the Hartford Municipal Code.

*Covered contract* means any contract awarded by the city in excess of twenty thousand dollars (\$20,000.00) to a covered employer, except a vendor who provides goods to the city, provided, however, that if another federal or state statutory or contractual provision prescribes higher wages, than the provisions of this article (such as Davis Bacon or a State of Connecticut prevailing wage provision), then such shall supersede this article.

*Covered contractor* means any person or entity awarded a City contract and includes all subcontractors of such covered contractors who perform work within the boundaries of the City or on City-owned property.

*Covered worker* means any employee of a covered contractor or development project manager, or of any subcontractor thereof, who performs work governed by a covered contract, with the following exceptions:

- (i) An individual employee whose wage rate is subject to a federal or state statute or regulation mandating a prevailing or other wage rate.
- (ii) Any individual who is under eighteen (18) years of age or is in a youth employment program or is a student intern.

(Ord. No. 06-10, 3-22-10)

Sec. 2-763. - Living wage required.

The City and all covered employers and their subcontractors shall pay City and Board of Education employees and covered workers no less than the living wage for work on covered contracts as defined in this article. Additionally, all development project managers and their subcontractors shall pay no less than the living wage to the employees working at the development project. The City nor any covered employer may use the living wage requirement of this article to

reduce the compensation paid to any City or Board of Education employees or covered workers.

(a) A living wage means an hourly wage rate which on an annual basis is equivalent to either of the following:

1. One hundred twenty (120) percent of the federal poverty level for a family of four (4), if health benefits are provided to the covered worker or employee. Health benefits, for purposes of this article, mean paid comprehensive family medical coverage which does not require the covered worker or employee to contribute more than five (5) percent of their annual wages towards the payment of the health plan provided, the living wage rate shall not be reduced below the previous year's rate for covered workers with comprehensive family medical coverage; or

2. If health benefits are not provided to the covered worker, the covered employer must pay wages in accordance with subsection (a)1. above, and in addition make payments to City and Board of Education full-time employees and its covered workers in lieu of health benefits, as determined by the Director of Human Relations. The Director of Human Relations shall calculate and set forth the amount of these payments in lieu of health benefits on a yearly basis, based on the average cost of a comparable group for comprehensive health insurance in the state provided, the living wage rate shall not be reduced below the previous year's rate for covered workers without comprehensive family medical coverage; or

(b) All development project managers are responsible for ensuring that all of their subcontractors who perform work at the site of the development project pay their employees at the living wage rate.

(c) The Director of the Office of Human Relations shall adjust the living wage as necessary to incorporate changes in the federal poverty level at least six (6) months prior to the beginning of the fiscal year. The Director of Human Relations shall publish a bulletin announcing any change in the amount of the living wage and shall inform each covered employer in writing, prior to such adjustment becoming effective.

(d) The City and covered employers shall inform covered workers or employees making less than twelve dollars (\$12.00) per hour of their possible eligibility for the federal Earned Income Credit ("EIC") pursuant to the Internal Revenue Code and shall make forms available to covered workers or employees informing them about the EIC and the forms required to secure advance EIC payments.

(Ord. No. 06-10, 3-22-10; Ord. No. 16-17, 6-26-17)

Sec. 2-764. - Worker retention, local hiring, and training.

(a) Covered employers shall report vacancies in positions related to covered contracts and development projects to local hiring agencies and to the Office of Human Relations for purposes of advertisement to the local community.

(b) Any covered contract shall include language in the event the contract is transferred from one (1) covered employer to another, or if a new covered

employer is awarded a covered contract that was previously performed by a prior covered employer, the new covered employer shall offer to employ and retain for a ninety-day period the covered workers who worked under the previous covered employer for at least twelve (12) months. New covered employers may not discharge the covered workers retained during the ninety-day period, except for cause.

(c) The Director of the Office of Human Relations shall work with the Mayor, the Court of Common Council, other city departments and agencies to promote programs encouraging and facilitating active support for job training programs with the City and covered employers that benefit residents of the City, on an equal opportunity basis, all as per the City's procurement ordinance and other applicable laws or regulations.

(Ord. No. 06-10, 3-22-10; Ord. No. 16-17, 6-26-17)

**Sec. 2-765. - Implementation.**

All requests for bids and requests for proposals for covered contracts or development projects, whether advertised or informally solicited, shall include appropriate information about the living wage requirements.

(Ord. No. 06-10, 3-22-10)

**Sec. 2-766. - No strike agreement; labor peace required.**

All development project managers shall sign a written agreement with a labor organization seeking to represent employees at the development project, which agreement provides a procedure for determining employee preference on the subject of whether to be represented by a labor organization for collective bargaining and further provides that the labor organization will not strike the development project in relation to the organizing campaign.

(Ord. No. 06-10, 3-22-10)

**Sec. 2-767. - Recording of covenant required.**

The City must include a clause in all contracts, city loans, tax abatement agreements, tax increment financing agreements, or other documents providing financing for development projects covered by the terms of this article, requiring the development project manager to comply with living wage and labor peace provisions of this article. In addition, said clause shall state that all sums owed to the City from contracts, city loans, tax abatement agreements, tax increment financing agreements or other documents providing financing for development projects will be due and payable in event of a violation of this article. Upon the granting of a development project that meets the terms of this article, the City shall record a covenant in the Hartford Land Records that provides that the

development manager shall abide by the terms of the living wage and labor peace ordinance.

(Ord. No. 06-10, 3-22-10)

Sec. 2-768. - Responsibility for effectuation and enforcement.

The Director of the Office of Human Relations shall investigate violations of this article and make recommendations to the Mayor for enforcement. The Mayor shall consider these recommendations and direct City departments to take enforcement actions, if needed, as provided below.

(Ord. No. 06-10, 3-22-10)

Sec. 2-769. - Enforcement and reporting.

(a) Monitoring of the provisions of this article shall be the responsibility, initially, of the Office of Human Relations. As appropriate or necessary, the Director of that division may require a covered employer to produce payroll records relevant to an audit or any inquiry into a claimed violation of this article. Every covered employer shall post copies of documents provided by the Director of the Office of Human Relations, stating the living wage applicable to covered workers. In addition, such posting shall include a form which may be used by covered workers to file a complaint with the Director of the Office of Human Relations for noncompliance with the provisions of this article. Such postings shall be made at the work site in a prominent place where all documents posted pursuant to this article may easily be seen and read by covered workers. A copy of such documents shall be given by the covered employer to any covered worker upon request no later than (i) the last hour of the said worker's next shift or (ii) the last hour of the next business day.

(1) Failure to comply. If the City or the employer fails to comply with any component of subsection (a), the Director of Human Relations shall notify the employer to make immediate compliance to avoid the imposition of a fine of one hundred dollars (\$100.00) per day for each violation. If the employer fails to comply within twenty-four (24) hours, such fines shall commence and the Director of Human Relations shall notify Corporation Counsel to proceed with appropriate prosecution or cancellation of the contract.

(b) In the event that the Director of Human Relations shall determine that the City or a covered employer has paid a City or Board of Education employee or a covered worker a sum less than the living wage the Director of Human Relations shall require the City or the covered employer to make full restitution to the City or Board of Education employee or the covered worker (i) in the said worker's next paycheck or (ii) within five (5) business days if the said worker is no longer employed by the covered employer.

(1) Full restitution means the difference between the sum paid by the covered employer to the covered worker and the living wage.

(2) Failure to comply. For each violation of subsection (b) of this section, the Director of Human Relations shall notify the employer and demand immediate compliance with this article or a fine of one hundred dollars (\$100.00) per day shall be imposed per violation. If full restitution is not met within five (5) business days, such fines shall commence and the Director of Human Relations shall notify Corporation Counsel to proceed with appropriate prosecution or cancellation of the contract.

(c) *Certified payroll submission.* The City and every covered employer shall be required to maintain electronic certified payroll records and detailed information about the health care and benefits provided to its covered workers, including the number of such workers covered and the type of health care coverage or benefit received. Such records shall be in the format designated by the Office of Human Relations.

(Ord. No. 06-10, 3-22-10)

**Sec. 2-770. - Termination of contract.**

In addition to other provisions of law or contract which may constitute grounds for termination by the City of a covered contract, tax abatement agreement, grant or tax increment financing agreement, such contracts, agreements or grants may be terminated following a determination that a covered employer:

(a) Failed to fully rectify or correct any violation of any provision of this article within thirty (30) calendar days of receipt by the City or the covered employer or its agents of the Director of Human Relations' notice of such violation.

(b) Failed to make full restitution to a covered worker within thirty (30) days of receipt of the Director of Human Relations' notice of a violation of such subsections.

(c) Failed to pay part or all of any fine levied by the City pursuant to any provision of Section 2-769 of this article within sixty (60) days of receipt of the City's notice of such levy.

(d) Failed to provide to the Office of Human Relations, verification of wages paid to covered employees; as required.

(e) Failed to cooperate with the City's audit of the covered employer's payroll records.

(Ord. No. 06-10, 3-22-10)

**Sec. 2-771. - Appeal process.**

The Director of Office of Human Relations or designee shall investigate violations of this article and make recommendations to the Mayor. The Mayor shall consider

the recommendations and direct the Office of Human Relations and Corporation Counsel to take enforcement actions, if needed. An enforcement action shall be appealable by written notice from the covered employer to the Labor and Workforce Development Committee of the Court of Common Council within five (5) days after receipt of said enforcement action. The Council may reverse the determination of enforcement action by a majority vote.

(Ord. No. 06-10, 3-22-10)

**Sec. 2-772. - Ineligibility of covered contractor to contract with or obtain city loans, other subsidies and covered contracts.**

The purchasing agent is authorized to declare a covered contractor ineligible to obtain covered contracts as follows:

- (1) The purchasing agent shall declare any covered contractor whose covered contract with the City was terminated pursuant to this article to be ineligible to contract with the City.
- (2) The purchasing agent may declare any covered contractor who has committed three (3) or more violations of the provisions of this article to be ineligible to contract with the City.
- (3) Ineligible to contract with the City means that such covered contractor, and any parent or subsidiary or related entity of such covered contractor, shall be ineligible to submit bids or proposals for any contract or other agreement with the City and shall be ineligible to enter into any contract or agreement, with the City.
- (4) Such period of ineligibility shall be for at least one (1) but not more than three (3) calendar years. After the first year of ineligibility has been completed, the purchasing agent, with the consent of the Director of Human Relations, may declare that the period of such ineligibility is terminated.
- (5) Declarations made pursuant to this section shall be issued in writing to the covered contractor, and the City purchasing agent shall furnish copies of all such declarations promptly upon issuance to the Director of the Office of Human Relations and to the heads of all City offices, authorities, boards, bureaus, commissions, departments, and other entities.

(Ord. No. 06-10, 3-22-10)

**Sec. 2-773. - Annual report.**

- (a) Each January, the Director of the Office of Human Relations shall submit to the Mayor, the Court of Common Council and the Commission on Workplace Rights an annual report for the preceding fiscal year regarding implementation of this article, including its fiscal impact and its impact on hiring of Hartford residents. Included in this report shall be the following information: (1) the number of monitored contracts and development projects; (2) the number of

reported complaints, violations and their resolutions; (3) a summary of certified payroll, health care and benefit information provided.

(b) Each January, the Commission on Workplace Rights shall submit to the Court of Common Council a report for the preceding fiscal year regarding evaluation of the economic and racial impact of this article, including recommendations concerning the benefits of this article's provisions for Hartford residents.

(Ord. No. 06-10, 3-22-10)

Sec. 2-774. - Other requirements.

(a) Covered employers who maintain payroll information in the Greater Hartford Area shall make such information available for onsite audit by the Director of the Office of Human Relations or designee.

(b) Covered employers who do not maintain payroll information in a Greater Hartford area office shall be required to submit their payroll records to the Office of Human Relations within one (1) week of the payroll period in accordance with section 2-769 of this article.

(Ord. No. 06-10, 3-22-10)

Secs. 2-775—2-784. - Reserved.

**AGENDA ITEM #**

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**INTRODUCED BY**

Larry Deutsch, Councilperson  
Wildaliz Bermudez, Councilperson  
Moise Laurent, Councilperson  
rJo Winch, Councilperson

**COURT OF COMMON COUNCIL**

**CITY OF HARTFORD**

**NOVEMBER 12, 2019**

**WHEREAS**, The Administration has confirmed availability of at least \$1.5 million of FY 2019 surplus funds in the General Fund; and

**WHEREAS**, Current Administration proposals include wintertime “warming shelters” which lack conditions required for health and safety of those needing temporary shelter from harsh conditions; and

**WHEREAS**, Proposed facilities limit individuals to a small space with requiring sitting upright in chairs all night, rather than space for use of available cots on which to recline for sleep, placing these individuals at risk for leg blood stasis, swelling, deep vein thrombosis (DVT), and thromboembolism potentially leading to acute illness, hospitalization, and death; and

**WHEREAS**, These Administration plans for such inhumane and dangerous conditions must be immediately replaced by securing space with preparation for safety and heating in one or more areas [closed schools such as Simpson-Waverly, Vine Street (recently Thirman L. Milner), City Hall Atrium, or others], and for staffing by available providers [Salvation Army or other]; and

**WHEREAS**, Costs for the above temporary and emergency health and safety staffing measures has been estimated by Administration members as \$200,000; now, therefore, be it

**RESOLVED**, That Court of Common Council authorizes and directs the transfer of \$200,000 of FY 2019 surplus funds currently in the General Fund to the Department of Health and Human Services [and Departments of Public Works and Fire as necessary] for these purposes, maintaining OR subtracting from the Administration’s proposed \$1.5 million for Capital Improvement Project, with transfer(s) respectfully requested before November 18<sup>th</sup>, 2019.