

# *COURT OF COMMON COUNCIL*



## **AGENDA**

**MEETING APRIL 27, 2020**

**7:00 P.M.**



**STAY HOME**

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

**AGENDA**  
**MEETING OF THE COURT OF COMMON COUNCIL**  
**APRIL 27, 2020**  
**Approve the minutes of March 9, 2020**

**ACTION TAKEN**

**COMMUNICATIONS**

1. MAYOR BRONIN, with accompanying resolution authorizing the City to accept ongoing payments from the Capitol Region Education Council, as an agent for the Connecticut Office of Early Childhood (OEC), to provide funding for childcare at Hyland Early Learning Center for the children of essential hospital workers and other essential workers as approved by OEC, as part of the State's response to the COVID-19 pandemic.

**FOR ACTION**

2. Ordinance making it unlawful for any person to sell or offer for sale any flavored tobacco product.
3. Ordinance amending Chapter 2, Appointments of Departments Heads Requirements, Section 850 Residency requirements of the Municipal Code.

**PROPOSED ORDINANCES**

4. (MAYOR BRONIN) Ordinance amending Chapter 2, Section 102, of the Municipal Code of the City of Hartford.

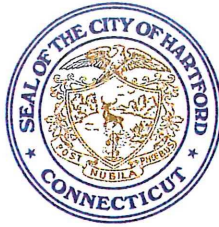
**HEARING DATE - Monday, May 18, 2020**

**RESOLUTIONS**

5. (COUNCILMAN SANCHEZ) (COUNCIL PRESIDENT ROSADO) (COUNCILWOMAN SURGEON) Resolution urging the Department of Health and Human Services and other departments to participate in the research and safe implementation of far UVC lights at all City of Hartford facilities entrances, and surfaces i.e. counters of City Clerk's office, Vital Statistics office, Tax Office, including but not limited to air handling heating and cooling systems, etc.

**Attest:**

**Noel F. McGregor, Jr.**  
**City Clerk**



ITEM#       /       ON AGENDA

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

April 27, 2020

Honorable Maly D. Rosado, Council President, and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: CT Office of Early Childhood's Project 26 - Child Care for Hospital Workers**

Dear Council President Rosado,

Attached for your consideration is a resolution authorizing the City to accept ongoing payments from the Capitol Region Education Council, as an agent for the Connecticut Office of Early Childhood (OEC), to provide funding for childcare at Hyland Early Learning Center for the children of essential hospital workers and other essential workers as approved by OEC, as part of the State's response to the COVID-19 pandemic. The State is calling this program, "Project 26." The minimum amount that the City will be paid for providing this service is \$68,600, but that may be increased subject to the State's orders.

The Department of Families, Children, Youth and Recreation has signed a Letter of Commitment with OEC which provides assurance that if for any reason CREC is not able to provide funding, OEC will cover the cost.

Due to the immediate need for childcare for hospital workers in the City of Hartford, Early Learning Center staff have already begun providing services. Because the income stream for Project 26 must be treated as a separate grant, the Department must obtain a certified resolution authorizing receipt of the funds from CREC. Given the application is due to the State immediately, we respectfully ask that the Council act upon the attached resolution at the earliest possible date without referral to committee.

The Department of Families, Children, Youth and Recreation is happy to answer any questions you may have. Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

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

**COURT OF COMMON COUNCIL**  
City of Hartford, April 27, 2020

**WHEREAS**, the Department of Families, Children, Youth and Recreation (DFCYR) has opened Hyland Early Learning Center to provide childcare for the essential hospital care workers and potentially other essential workers during the coronavirus pandemic; and

**WHEREAS**, the State of Connecticut Office of Early Childhood (OEC) has developed "Project 26" in cooperation with the Governor, the CT Department of Public Health (DPH), and the State's Emergency Operation Center to provide emergency child care for essential workers, primarily at Connecticut hospitals during the COVID-19 pandemic throughout Governor Lamont's Civil Preparedness and Public Health Emergency enacted as a result of the COVID-19 pandemic (the COVID Emergency); and

**WHEREAS**, DFCYR on behalf of the City will be paid a weekly fee by OEC of \$11,750 for maintaining three classrooms open and staffed to meet the needs of Project 26 throughout the COVID Emergency, which payment will be made by Capitol Region Education Council (CREC); and

**WHEREAS**, on behalf of the City of Hartford, DFCYR has been directed by OEC to sign an agreement to provide the Project 26 services and to accept compensation in the designated amount, up to \$68,600, but subject to increase and extension if the need for child care continues as described due to continuation of the COVID Emergency; now, therefore, be it

**RESOLVED**, That the Mayor, acting through the Department of Families, Children, Youth and Recreation, is hereby authorized to accept the described funding of \$68,600, and such additional funding as may be awarded from time to time by OEC and/or CREC, for the continuation of services at Hyland Early Learning Center, or such other locations in the City as may be assigned for the purpose, throughout the duration of Project 26 and/or the COVID Emergency, and enter into the Project 26 agreement or any other document requested by OEC and/or CREC to initiate and continue the described services; 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 programs, for the same authorized contract period or any extension of that contract period, and for the same purposes; and be it further

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

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

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

Introduced by:

Majority Leader Thomas J. Clarke, II  
Councilman John Q. Gale

HEADING  
AND  
PURPOSE

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

January 27, 2020

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

**SECTION I. FINDINGS**

The Hartford Court of Common Council finds that:

- (1) Documents obtained during litigation against the tobacco industry reveal that tobacco companies have used fruit, candy, and alcohol flavors as a way to target youth. Tobacco industry documents stated that "sweetness can impart a different delivery taste dimension which younger adults may be receptive to," that "[i]t's a well-known [sic] fact that teenagers like sweet products," and that flavored products would have appeal "in the under 35 age group, especially in the 14-24 group."
- (2) Marketing and public health research shows that flavors such as fruit, candy, and alcohol hold an intense appeal to minors and young adults. The presence of flavors such as menthol in tobacco products can make it more difficult for adult tobacco users to quit. Moreover, menthol cigarettes in particular have a disproportionate health impact on youth, as well as members of racial and ethnic populations, the LGBT community, and people of low socio-economic status.
- (3) Forty-one state attorneys general sued a tobacco company selling flavored cigarettes, arguing that it was violating the 1998 Master Settlement Agreement by targeting youth. The settlement of that litigation included an agreement that the tobacco company stop marketing flavored cigarettes.
- (4) The Family Smoking Prevention and Tobacco Control Act of 2009 prohibits the manufacture and sale of flavored cigarettes, except menthol cigarettes. No federal prohibition exists for flavored non-cigarette tobacco products.
- (5) Jurisdictions such as the States of New Jersey and Massachusetts; New York City; Providence, Rhode Island; and Chicago, Illinois have passed restrictions on the sale of flavored tobacco products. The authority of state and local governments to restrict the sale of these products has been upheld by federal courts.
- (6) Accordingly, the City Council finds and declares that the purpose of

this ordinance is to protect public health and welfare by reducing the appeal of tobacco to minors and reduce the likelihood that minors will become tobacco users later in life.

## SECTION II. DEFINITIONS

As used in this ordinance:

(a) "*Electronic smoking device*" means any device that may be used to deliver any aerosolized or vaporized substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, e-cigar, e-pipe, vape pen, or e-hookah. Electronic smoking device includes any component or accessory of such a product, whether or not sold separately 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 approved for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

(b) "*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 menthol, mint, wintergreen, chocolate, cocoa, vanilla, honey, or any candy, dessert, alcoholic beverage, herb, or spice. Notwithstanding the foregoing, menthol tobacco cigarettes are not included in this definition.

(c) "*Person*" means any natural person, partnership, firm, joint stock company, corporation, or other legal entity, including an employee of a legal entity.

(d) "*Tobacco product*" means 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, any electronic smoking device as defined in this section and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; and the term "tobacco product" includes any component or accessory used in the consumption of a tobacco product including but not limited to filters, rolling papers or liquids used in electronic smoking devices. The term "tobacco product" does not include drugs, devices or combination products approved for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act. Tobacco product shall not include a cigar, pipe tobacco, chewing tobacco, snuff, or snus made from tobacco.

## SECTION III. PROHIBITION ON SALE

It shall be unlawful for any person to sell or offer for sale any flavored 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 produces a taste or smell other than tobacco shall constitute presumptive evidence that the tobacco product is a flavored tobacco product.

#### **SECTION IV. VIOLATIONS AND PENALTIES**

It is a violation for any person to fail to comply with the requirements of this ordinance. If a person is found to have violated this ordinance, the person shall be charged an administrative penalty as follows:

1. First violation. The Hartford Department of Health and Human Services shall impose a civil fine of at least five hundred dollars (\$500).
2. Second violation within thirty-six (36) months of a first violation. The Department shall impose a civil fine of at least seven hundred fifty dollars (\$750).
3. Third violation within twenty-four (24) months of any preceding violation. The Department shall impose a civil fine of at least one thousand dollars (\$1,000).

Each day of violation constitutes a separate offense. Failure to comply with any provision of this ordinance shall constitute grounds for the denial of, refusal to renew, suspension of, or revocation of any food, liquor, tobacco, or other business license issued by the city. Any fines collected under this ordinance shall be used for implementation and enforcement of the ordinance.

#### **SECTION V. ENFORCEMENT**

The Department of Health and Human Services and the Department of Developmental Services, Division of Licenses and Inspections, shall enforce the provisions of this ordinance. All tobacco retailers shall be subject to such compliance checks as shall be determined by said departments to be reasonable and necessary to obtain compliance with this ordinance.

#### **SECTION VI. SEVERABILITY**

If any portion of this ordinance, or its application to any circumstances, is held invalid, the remaining portions shall be considered severable, and shall be given effect to the maximum extent possible.

#### **SECTION VII. EFFECTIVE DATE**

This ordinance shall take effect ninety (90) days after its publication.



ITEM#

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ON AGENDA

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

March 9, 2020

Honorable Maly D. Rosado, Council President, and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: Revision to Residency Requirement**

Dear Council President Rosado,

Attached for your consideration is an ordinance that would revise Chapter 2, Section 850 of the Municipal Code of the City of Hartford, commonly known as the residency requirement. As you know, while state law bars a residency requirement for union employees, our current residency requirement applies to all Council and Mayoral appointees and unclassified employees of the City.

The ordinance change before you would create a mechanism by which that requirement can be waived for certain employees, with a 10% decrease in maximum salary for any employee for whom the requirement is waived. Please note that the ordinance before you does not allow the residency requirement to be waived for the Chief Operating Officer, the Fire Chief, the Chief of Police, or the Corporation Counsel.

The purpose of the residency requirement is to help ensure City leaders are connected to and invested in the community. We all share that desire and that goal. However, as an administration, we have seen that there can be an unintended consequence to the residency requirement as currently constituted: some candidates who have deep ties to Hartford, but whose families have moved to surrounding communities, are effectively dismissed from contention for leadership roles because it is not practical for them to sell their homes and move their families just a few miles. In some cases, the residency requirement as currently constituted actually makes it easier to recruit someone from out of state, with no ties to Hartford, than it does to recruit someone who lives, for example, in Bloomfield or Windsor, and has strong connections to Hartford.

In addition, almost all employees subject to the residency requirement are appointees, and therefore have much less job security than our other employees. Finally, for department heads in particular, we recruit individuals with very specific expertise, who are highly qualified in particular areas of municipal government. That limits the candidate pool to begin with, and the residency requirement as currently constituted puts us at a competitive disadvantage. While some of our peer cities also have residency requirements, few, if any, apply to such a wide range of employees as Hartford's.

I strongly believe that we should encourage and incentivize residency, as this change seeks to do. I do not believe that the current inflexible requirement benefits our city or our community in the way in which it was originally intended.

I look forward to discussing this proposal with you and working together to ensure that we are delivering the best possible service to our residents. Thank you for your consideration.

Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

Introduced by: Mayor Luke A. Bronin

HEADING  
AND  
PURPOSE

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

COUNCIL,

COURT OF COMMON

CITY OF HARTFORD

March 9, 2020

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

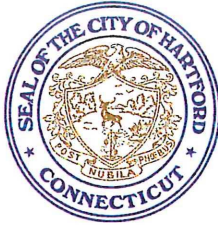
That Chapter 2, Section 850, of the Municipal Code of the City of Hartford be amended as follows:

- (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.

Bona fide resident is defined as:

- (1) An employee who has a Hartford mailing address. A post office address does not qualify as a bona fide Hartford address;
  - (2) Be a registered Hartford voter; and
  - (3) If the employee owns a motor vehicle, said motor vehicle must be registered in the City of Hartford
- (B) The provisions of subsection (A) above shall not apply to individuals who were employees and appointees at the time of the effective date of this section.
- (C) Notwithstanding the provisions of subsection (A) above, the Mayor, after providing a written justification to the Council, may waive the requirement for bona fide residence in the City of Hartford, provided that (1) such requirement shall never be waived for the positions of Chief Operating Officer, Fire Chief, Chief of Police and Corporation Counsel, and (2) the maximum salary for any employee for whom the residency requirement is waived shall be reduced by ten percent (10%) from that set forth in the applicable pay scale.

This ordinance shall take effect upon adoption.



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

April 27, 2020

Honorable Maly D. Rosado, Council President, and  
Members of the Court of Common Council  
City of Hartford  
550 Main Street  
Hartford, CT 06103

**RE: Ordinance Revision Regarding Office of Human Relations**

Dear Council President Rosado,

Attached for your consideration is an amendment to Section 2-102 of the Hartford Municipal Code, currently entitled, "Office of Human Relations." The intent of this proposed revision is to expand the role and responsibilities of the Office of Human relations to ensure the City is actively promoting diversity and inclusion in our hiring processes, across City operations more broadly, and in partnership with our Human Resources Department.

This amendment expands the Office of Human Relations' scope of responsibilities to include administering and ensuring compliance with City policies related to equal employment opportunity, affirmative action, and the Americans with Disabilities Act, as well as developing and conducting training related to diversity and inclusion.

This amendment would shift responsibility for contract compliance from what is now known as the Office of Human Relations to the Procurement Division of Finance Department, as was the case prior to 2017.

Finally, this amendment renames this office as the "Office of Equity and Opportunity" to clarify its role and reflect its mission, and places it within the Office of the Chief Operating Officer.

Corporation Counsel and the Chief Operating Officer are happy to answer any questions you may have. Thank you for your consideration.

Respectfully submitted,

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

Luke A. Bronin  
Mayor

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

Introduced by:

MAYOR LUKE A. BRONIN

HEADING  
AND  
PURPOSE

AN ORDINANCE AMENDING CHAPTER 2, SECTION 102 OF THE HARTFORD  
MUNICIPAL CODE

COURT OF COMMON COUNCIL,  
CITY OF HARTFORD

April 27, 2020

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

That Chapter 2, Section 102, of the Municipal Code of the City of Hartford be amended as follows:

Office of [human relations] Equity and Opportunity.

- (1) There shall be an [office of human relations] Office of Equity and Opportunity within the [Finance department] Office of the Chief Operating Officer responsible for:
  - (a) Fostering equality and understanding by supporting the efforts of the city's policy leadership in seeking social and economic justice for all Hartford residents.
  - (b) Providing advice and comment to the mayor on matters pertaining to equal opportunity and affirmative action.
  - (c) Providing direct support for the commission on human relations, the commission on disability issues, the permanent commission on the status of Hartford women, the Hartford commission on lesbian, gay, bisexual and transgender issues and the civilian police review board in accordance with their functions and duties as set forth in this Code.
  - (d) Providing regular reports to the Mayor and Council [on the activities of the office, including compliance by developers and contractors with the provisions of the living wage ordinance and resident hiring requirements. Such report shall also include information] on the activities of the Civilian Police Review Board and other boards and commissions supported by the office.
  - (e) Administering, and ensuring compliance with, City of Hartford policies and procedures related to equal employment opportunity, affirmative action, and the Americans with Disabilities Act, including conducting and/or overseeing investigations of complaints of violation of said policies and serving as the City's ADA Coordinator.

- (f) Developing and conducting training on matters relating to diversity, inclusion, equal employment opportunity and affirmative action.
- (2) The office shall be staffed by a director, who shall report directly to the Chief [Financial] Operating Officer [and Director of Finance] and who shall be a resident of the city, and the staff necessary carry out its functions.
- [(a) Prior to January 1, 2018, the Mayor may assign an acting director and personnel from other departments to temporarily staff the office.]

This ordinance shall take effect upon adoption.

INTRODUCED BY  
James Sanchez, Councilman  
Maly D. Rosado, Council President  
Shirley Surgeon, Councilwoman

COURT OF COMMON COUNCIL  
City of Hartford, April 26, 2020

**WHEREAS**, On March 20<sup>th</sup>, 2020 Governor Lamont signed an Executive Order asking Connecticut Businesses and Residents to “Stay Safe, Stay Home”, effective Monday, March 23<sup>th</sup>, 2020; and

**WHEREAS**, to limit the community spread of Covid-19 and keep employees and the public safe; and

**WHEREAS**, Covid-19 is a respiratory illness that can be spread from person to person, according to the Centers for Disease Control and Prevention; and

**WHEREAS**, to protect the community from the spread of the virus, people should, avoid close contact, avoid touching their face and wash hands for 20 seconds with soap or use alcohol-based hand sanitizer; and

**WHEREAS**, on April 20<sup>th</sup>, 2020 Hartford County has 3,823 (1) laboratory confirmed cases, and the City of Hartford has 704 (1) confirmed cases which has increased since March; and

**WHEREAS**, according to Morris Miller CEO of Xenex Disinfection Services hundreds of germicidal ultraviolet lights (UV-C) have been shipped to Italy, Japan, Thailand, Ecuador and Spain, using UV-C to kill microbes, airborne viruses, microorganisms and to help disinfect their facilities; and [<https://www.cnbc.com/video/2020/04/14/xenex-ceo-morris-miller-on-uv-light-disinfection-in-hospitals.html>]

**WHEREAS**, a study was done on UV-C lights at Duke University Hospital (DUH) , Duke Regional Hospital (DRH) and Duke Raleigh Hospital (DRAL) in North Carolina in 2017; and [<https://www.dukehealth.org/blog/uv-light-helps-duke-hospitals-fight-transmission-of-superbugs>]

**WHEREAS**, the Duke Health researchers found that UV-C lights being used at their facilities helped disinfect hard-to-reach areas by the emission of light bouncing and reflecting off objects; and

**WHEREAS**, the light waves kills the pathogens by disrupting their DNA (2); and

**WHEREAS**, in 2018 Columbia University Irving Medical Center (CUIMC) did research on far ultraviolet C (far-UVC) lights to consider if far UV-C lights do kill airborne flu viruses; and [<https://www.cuimc.columbia.edu/news/can-uv-light-fight-spread-influenza>]

**WHEREAS**, CUIMC found that far UV-C reduces the spread of person to person transmission of viruses through the air, by killing the viruses while they are in the air; now, therefore be it

**RESOLVED**, that the City of Hartford's Court of Common Council urge the Department of Health and Human Services and other departments to participate in the research and safe implementation of far UVC lights at all City of Hartford facilities entrances, and surfaces i.e. counters of City Clerk's office, Vital Statistics office, Tax Office, including but not limited to air handling heating and cooling systems, etc., and be it further

**RESOLVED**, that the Department of Health and Human Services with the Grants Department allocate funding for such technology, and be it further

**RESOLVED**, by implementing this technology all people entering City facilities shall enter with the knowledge, that the facility has extended an extra layer of environmental protection for viruses.

(1) <https://portal.ct.gov/Coronavirus>

(2) <https://www.nature.com/articles/s41598-018-21058-w>