

AGENDA
MEETING OF THE COURT OF COMMON COUNCIL
JANUARY 27, 2020

COMMUNICATIONS

1. MAYOR BRONIN, with accompanying resolution confirming the nomination of Interim Police Chief Jason Thody as Chief of Police for the City of Hartford
2. MAYOR BRONIN, with accompanying resolution confirming the nomination of Interim Chief Operating Officer Thea Montanez as Chief Operating Officer.
3. MAYOR BRONIN, with accompanying resolution authorizing the Superintendent of Hartford Public Schools to file a school construction grant application with the State of Connecticut School Construction, Grants & Review Department of Administrative Services for the project in connection with the replacement of roofing at 388 Wethersfield Avenue.
4. MAYOR BRONIN, with accompanying resolution confirming the appointment of Raul Irizarry & the reappointed Frank Lord and Jennifer Cassidy to the Greater Hartford Transit District
5. MAYOR BRONIN, with accompanying resolution to enter into executive session in order to discuss the potential resolution of the Kenville Edwards v. City of Hartford and Officer Christopher May.

REPORTS

6. Planning, Economic Development and Housing Committee, with accompanying resolution confirming the appointment of Patricia LeShane to the Housing Authority of the City of Hartford.

PROPOSED ORDINANCES

7. (MAYOR BRONIN) Ordinance Amending General Fund Appropriations to Reflect Revised Project Costs Relative to Public Improvements in The Burns Latino Studies Academy.

HEARING DATE OF FEBRUARY 18, 2020

8. (MAYOR BRONIN) Ordinance Amending General Fund Appropriations to Reflect Revised Project Costs Relative to Public Improvements at Bulkeley High School.

HEARING DATE OF FEBRUARY 18, 2020

9. (MAJORITY LEADER CLARKE II) (COUNCILMAN GALE) Ordinance making it unlawful for any person to sell or offer for sale any flavored tobacco product.

HEARING DATE OF FEBRUARY 18, 2020

RESOLUTIONS

10. (COUNCIL PRESIDENT ROSADO) (MAJORITY LEADER CLARKE II) (COUNCILMAN LEBRÓN) (COUNCILMAN GALE) (COUNCILWOMAN ROSSETTI) (COUNCILWOMAN SURGEON) (COUNCILMAN SANCHEZ) (COUNCILWOMAN BERMÚDEZ) (COUNCILMAN MICHOTOM) Resolution that Batterson Park Conservancy now desires to gain approval under § 26-2 of the Code to use the name "Batterson Park Conservancy" in fundraising and publications
11. (COUNCILWOMAN BERMÚDEZ) (COUNCILMAN MICHOTOM) Resolution Calling for A Search and Interview Process for Hartford's Next Police Chief That Involves Hartford's Residents and Police Department Employees
12. (COUNCIL PRESIDENT ROSADO) (COUNCILMAN CLARKE II) (COUNCILMAN SANCHEZ) (COUNCILWOMAN ROSSETTI) (COUNCILWOMAN SURGEON)

Resolution amending the Council Rules shall be amended for Section IX(5) to read "A regular Public Works, Parks, Recreation and Environment Committee meeting will be held on the second Wednesday of each month at 5:30 P.M. in the Council Chambers.

Attest:

**Eric T. Lusa
Acting City Clerk**

ITEM# 1 ON AGENDA



Luke A. Bronin
Mayor

January 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: Appointment of Jason Thody as Police Chief

Dear Council President Rosado,

Attached for your consideration is a resolution confirming my nomination of Interim Chief Jason Thody as Chief of Police for the City of Hartford.

Interim Chief Thody began his career as a Hartford police cadet in 1996, and since then he has gained experience as both a supervisor and commander of many areas within the Department, including patrol operations, the neighborhood-based community policing plan, Planning and Accreditation, the Crime Scene Division, and special teams such as the Crisis Negotiation Team, Emergency Response Team and the Honor Guard.

He has been a Connecticut P.O.S.T.C. certified law enforcement instructor since 2005, instructing new recruits and certified police officers in varying subjects including Fair and Impartial Policing's Implicit Bias training program, which he brought to Hartford in 2015.

Interim Chief Thody earned an Associate's Degree in Criminal Justice from Tunxis Community College, a Bachelor's Degree in Business Management from Albertus Magnus College, and a Graduate Certificate in Criminal Justice from the University of Louisville. He is also a graduate of the Southern Police Institute's 135th Administrative Officers Course, the Police Executive Research Forum's 60th session of the Senior Management Institute for Police, and FBI-LEEDA's 183rd Executive Leadership Institute. In November of 2019, he was recognized by Faith Seventh-Day Adventist Church in Hartford for his commitment to serving the Hartford community and protecting residents.

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

I've worked closely with Chief Thody over the past nine months, and I've seen his willingness to tackle tough issues openly and honestly, his commitment to building a culture of professionalism and accountability, and most of all, his personal commitment to the Hartford community and to the spirit of community policing. The department is moving in the right direction, and after giving it a lot of thought, I don't think this is the right time for yet another leadership change, or for a long national search that would create uncertainty and instability as we prepare for another summer.

I also think it is important to note that Interim Chief Thody has earned the support of leaders from a wide range of organizations, including the Greater Hartford Interdenominational Ministerial Alliance, Interval House, COMPASS Youth Collaborative, the Police Department's Chaplain Association, the Spanish American Merchants Association, and a number of community members.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Luke A. Bronin', with a long horizontal stroke extending to the right.

Luke A. Bronin
Mayor

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, January 27, 2020

WHEREAS, The Mayor has nominated Interim Police Chief Jason Thody to the position of Chief of Police for the City of Hartford,

WHEREAS, Interim Chief Thody has spent his entire career as a member of the Hartford Police Department serving in a number of senior roles, and graduated from the Southern Police Institute's Administrative Officers Course, the Police Executive Research Forum's Senior Management Institute for Police, and FBI-LEEDA's Executive Leadership Institute, now, therefore, be it

RESOLVED, That the Court of Common Council hereby confirms the Mayor's nomination of Interim Police Chief Jason Thody as Chief of Police for the City of Hartford, effective upon the date of confirmation.

ITEM# 2 ON AGENDA



Luke A. Bronin
Mayor

January 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: Appointment of Thea Montañez as Chief Operating Officer

Dear Council President Rosado,

Attached for your consideration is a resolution confirming my nomination of Chief of Staff and Interim Chief Operating Officer Thea Montañez as Chief Operating Officer for the City of Hartford.

As you know, over the last four years, Thea Montañez has been my right hand in every aspect of city government, and she has earned the trust and confidence of our employees, community members, and elected officials. In addition to helping manage the day to day business of city government, she has led some of our most important initiatives aimed at supporting justice-involved youth and adults, including the Reentry Welcome Center and the Hartford Youth Service Corps, and has helped lead efforts to rebuild staffing levels at our police and fire departments and create more effective partnerships with our school system, state agencies, non-profits, and business community.

Before joining the City of Hartford in 2016, she was Director of the North Hartford Promise Zone at the United Way. Prior to that, she led the planning team that earned Hartford its Promise Zone designation as a private consultant. Earlier in her career, she worked at The Hartford Financial Services Group and for The Waterford Group. Montañez served as President of the Board of Directors of the Hartford Public Library from 2012 to 2014 and she currently serves on the Board of Directors of Connecticut Public and the University of St. Joseph. She holds a bachelor's degree from Syracuse University.

Her resume is attached for your review. 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, January 27, 2020

WHEREAS, The Mayor has nominated Chief of Staff and Interim Chief Operating Officer Thea Montañez to the position of Chief Operating Officer for the City of Hartford,

WHEREAS, Thea Montañez has served as Chief of Staff since January 2016, Interim Chief Operating Officer since September 2018, and holds a bachelor's degree from Syracuse University, now, therefore, be it

RESOLVED, That the Court of Common Council hereby confirms the Mayor's nomination of Interim Chief Operating Officer Thea Montanez as Chief Operating Officer, effective upon the date of confirmation.



Luke A. Bronin
Mayor

ITEM# 3 ON AGENDA

January 27, 2020

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

RE: State Grant Application Approval

Dear Council President Rosado,

Attached for your consideration is a resolution authorizing the Board of Education to apply for and accept a grant from the State of Connecticut for a public-school building project to assist with the roofing of 388 Wethersfield Avenue. This facility, which serves as a grounds and maintenance storage and office building, has a roofing system which exceeds twenty years of age, which puts the building at risk.

Pursuant to Connecticut General Statute 10-283, any town desiring a grant for a public-school building project may, by a vote of its legislative body, authorize the Board of Education to apply to the State of Connecticut for a grant. Passing this resolution will help ensure that our school infrastructure remains safe, stable and in good operating condition.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "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, January 27, 2020

WHEREAS, The long term plans and objectives of the Hartford Public Schools include the continued use of the Buildings & Grounds facility at 388 Wethersfield Avenue; and

WHEREAS, The existing roofing system exceeds twenty years a roofing system which exceeds twenty years of age, which puts the building at risk; and

WHEREAS, Pursuant to Chapter 28, Article IX, Section 28 -189 et seq. of the Hartford Municipal Code, the Hartford School Building Committee is authorized to develop plans and specifications for school building projects, to include the project in connection with the replacement of roofing at Buildings and Grounds, located at 388 Wethersfield Avenue; and

WHEREAS, Pursuant to Conn. Gen. Stat. § 10-283, any town desiring a grant for a public-school building project may, by vote of its legislative body, authorize the Board of Education to apply to the State of Connecticut for a grant; and

WHEREAS, Applications for such grants under Conn. Gen. Stat. § 10-283 shall be made by the superintendent of schools; now, therefore be it

RESOLVED, That the Court of Common Council authorizes the Superintendent of Hartford Public Schools to file a school construction grant application with the State of Connecticut School Construction, Grants & Review Department of Administrative Services for the project in connection with the replacement of roofing at Buildings and Grounds.

ITEM# 4 ON AGENDA



Luke A. Bronin
Mayor

January 27, 2020

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

RE: Appointments to the Greater Hartford Transit District

Dear Council President Rosado,

Attached for your consideration is a resolution confirming the appointment of Raul Irizarry and the reappointments of Frank Lord and Jennifer Cassidy to the Greater Hartford Transit District ("GHTD").

The GHTD is a quasi-municipal corporation operating under the authority of Chapter 103a of the Connecticut General Statutes. There are currently sixteen member towns represented by appointees who collectively form the Board of Directors. As a municipality with a population over 100,000 the City of Hartford is allotted four appointees to the board, the highest number possible.

Mr. Irizarry currently serves as a Transportation Planner for the Capital Region Council of Governments ("CRCOG"). He holds two bachelor's degrees from the University of Connecticut in Landscape Architecture and Urban and Community Studies.

Mr. Lord and Ms. Cassidy have served on the board for the GHTD supporting the work of the directors and representing the City admirably. I am confident they will remain strong advocates for all of our residents.

Their resumes are attached for your review.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be "L. Bronin", is written over the typed name.

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, January 27, 2020

WHEREAS, The Greater Hartford Transit District (“GHTD”) was formed pursuant to chapter 103a of the connecticut general statutes; and

WHEREAS, The GHTD works to support the transportation goals of the region by securing resources, potential funding opportunities, and development assistance for its member towns; and

WHEREAS, The City of Hartford, having a population of more than 100,000, is allotted four appointees to the board for the GHTD; and

WHEREAS, Appointments to the GHTD shall serve a term four years; and

WHEREAS, The Mayor has appointed Raul Irizarry and reappointed Frank Lord and Jennifer Cassidy to the Greater Hartford Transit District; now, therefore be it

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

Raul Irizarry (D) – Vacancy
30 Woodland Street #7B, Hartford, CT 06105
For a term expiring December 9, 2023

Frank Lord (D) – Reappointment
266 Pearl Street #508, Hartford, CT 06103
For a term expiring December 9, 2023

Jennifer Cassidy (D) – Reappointment
36 Ashley Street, Hartford, CT 06105
For a term expiring December 9, 2023

ITEM# 5 ON AGENDA



Luke A. Bronin
Mayor

January 27, 2020

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

RE: Executive Session

Dear Council President Rosado,

I request that the Council enter into Executive Session during the Council meeting on Monday, January 27, 2020. A brief session is necessary in order to discuss the potential resolution of the Kenville Edwards v. City of Hartford and Officer Christopher May.

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. Brönin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, January 27, 2020

RESOLVED, Pursuant to Chapter VIII, Section 3 of the City Charter, the Court of Common Council hereby approves settlement of the Kenville Edwards v. City of Hartford, et al, matter for \$110,000.

Court of Common Council



CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103

ITEM# 6 ON AGENDA

Maly D. Rosado, Council President
Thomas J. Clarke II, Councilman
Nick Lebron, Councilman
Marilyn Rossetti, Councilwoman
James Sánchez, Councilman
Shirley Surgeon, Councilwoman

Wildaliz Bermúdez, Councilwoman
John Q. Gale, Councilman
Joshua Michtom, Councilman

Eric Lusa, Interim Town and City Clerk

Report

January 27, 2020

Dear Members of the Court of Common Council:

The Planning, Economic Development, and Housing Committee held a special meeting on January 16, 2020 at 5:30 pm in the Council Chambers to discuss the following referred item as reflected on the committee agenda.

Item #1

COMMUNICATION FROM MAYOR BRONIN, WITH ACCOMPANYING RESOLUTION CONFIRMING THE APPOINTMENT OF PATRICIA LeSHANE TO THE HOUSING AUTHORITY OF THE CITY OF HARTFORD (ITEM #12 ON AGENDA OF JANUARY 13, 2020)

The following were present: Committee Chairwoman Shirley Surgeon, Councilman John Q. Gale, Councilwoman Marilyn Rossetti, Annette Sanderson from the Housing Authority and Jim Del Visco from Corporation Counsel.

The Executive Director of the Housing Authority of the City of Hartford spoke on the behalf of Patricia LeShane who was unable to attend the special committee meeting. Annette Sanderson expressed Patricia LeShane's apologies for not being able to attend the special committee meeting. Annette Sanderson expressed how it was essential to have someone appointed the Housing Authority of the City of Hartford, and spoke to the qualifications and quality of the candidate.

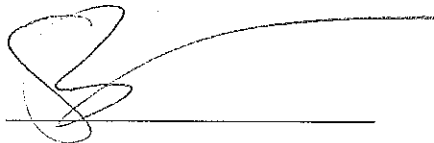
A question was posed by Jim Del Visco if the council was setting a precedent to allow someone who is nominated to a committee to be represented by proxy. Chairwoman Surgeon does not want to set this as a precedent however, due to the immediate need of someone on the Housing Authority of the City of Hartford, this would be an exception.

A motion was made by Councilman John Gale and seconded by Councilwoman Marilyn Rossetti to send this item to full Council with a favorable recommendation.

Vote Taken (3-0. 1 Absent. 1 Recused Pass)

Councilwoman Shirley Surgeon: Yes
Councilwoman Maly D. Rosado: Recused
Councilman John Q. Gale: Yes
Councilwoman Marilyn Rossetti: Yes
Councilwoman Wildaliz Bermúdez: Absent

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'S. Surgeon', written over a horizontal line.

Shirley Surgeon
Chairwoman of
Planning, Economic Development
& Housing

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, January 13, 2020

WHEREAS, The Housing Authority of the City of Hartford ("HACH") was founded in 1938; and

WHEREAS, HACH was established to serve the public and affordable housing needs of the City and provide safe, decent, and sanitary housing to low and moderate-income residents; and

WHEREAS, HACH is a five-member board with commissioners appointed by the Mayor and approved by the Court of Common Council for a term of five years; and

WHEREAS, The Mayor has appointed Patricia LeShane to the Housing Authority of the City of Hartford; now, therefore be it

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

Patricia LeShane (D) – Vacancy
1090 Prospect Avenue, Hartford, CT 06015
For a term expiring January 13, 2025



Luke A. Bronin
Mayor

ITEM# 7 ON AGENDA

January 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: Burns Latino Studies Academy Ordinance Appropriation

Dear Council President Rosado,

Attached for your consideration is an ordinance appropriating \$50,700,000 for the planning, design, and construction of renovations and improvements to Burns Latino Studies Academy.

During the July 2019 Special Session, the State of Connecticut General Assembly authorized the conversion of the code violation project at the Burns Latino Studies Academy to a renovation project and placed the project on the school building project priority list. The reimbursement rate for the project was also increased from 80% to 95%.

Before moving forward, the Board of Education has requested that an appropriation ordinance be adopted in order to be able to apply for the State Construction Grant.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "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:

Introduced by: *Luke A. Bronin, Mayor*

HEADING
AND
PURPOSE

**AN ORDINANCE MAKING GENERAL FUND APPROPRIATIONS TO REFLECT
REVISED PROJECT COSTS RELATIVE TO PUBLIC IMPROVEMENTS IN
THE BURNS LATINO STUDIES ACADEMY PROJECT NO. 064-0312 RNV.**

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

January 27, 2020

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

Section 1. As authorized by the State of Connecticut, the sum of **\$47,700,000.00** is hereby appropriated by the City of Hartford, Connecticut (the "City") in the General Fund in support of public improvements in the Burns Latino Studies Academy Project No. 064-0312 RNV (the "Project"), which additional sum will increase the estimated project costs in the Project to **\$50,700,000.00**.

Section 2. The estimated useful life of the Project is not less than twenty years. The total estimated cost of the Project is **\$50,700,000.00**. The cost of the Project is expected to be defrayed from State and Federal grants for a full renovation at 95% reimbursement rate.

Section 3. The balance of any appropriation not needed to meet the cost of the Project authorized hereby may be transferred by resolution of the Court of Common Council to meet the actual cost of any other capital project of the City (including the Project authorized hereby and capital projects authorized by prior or future capital ordinances) for which an appropriation has been adopted; provided that the aggregate amount of the appropriation authorized pursuant to such transfer shall not be increased.

Section 4. The Mayor is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete the Project authorized herein and the financing thereof.

Section 5. The Mayor and City Treasurer, in the name of the City, are hereby authorized

to, and if any such action shall heretofore have been taken, such action is hereby ratified and confirmed, (a) publish such notices, hold such hearings, make such representations and agreements, and take such other actions as shall be necessary, (b) make, execute and deliver all such additional and supplemental documents, (c) appoint any other consultants or professionals as required and (d) do and perform such acts and take such actions as may be necessary or required for the consummation of the transactions provided for and contemplated by this ordinance.

Section 6. The Mayor is authorized in the name and on behalf of the City to apply for and accept any and all Federal and State grants-in-aid for the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith to contract in the name of the City with engineers, contractors and others.

Leigh Ann Rawls, Director of Finance
ATTEST:

Luke A. Bronin, Mayor

Eric Lusa, Acting Town & City Clerk

This ordinance shall take effect upon adoption.

ITEM# 8 ON AGENDA



Luke A. Bronin
Mayor

January 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: Bulkeley High School Ordinance Appropriation

Dear Council President Rosado,

During the July 2019 Special Session, the State of Connecticut General Assembly authorized the placement of the Bulkeley High School renovation project on the school building project priority list. The reimbursement rate for the project was set at 95% and the authorized project cost at \$149 Million. As was previously done at Weaver High School, the Office of School Construction Grants & Review has indicated that the renovation project and the previously approved Board of Education office relocation to Bulkeley are to be combined as a single project. This will result in a total project budget of \$154 Million.

Attached for your consideration is an ordinance revising the appropriation to \$154,000,000 for the combined planning, design, and construction of renovations and improvements to Bulkeley High School.

This ordinance would approve the project and authorize the Board of Education to submit a school construction grant application to the State Department of Education. However, the Board of Education has requested that an appropriation ordinance be adopted in order to be able to apply for the State Construction Grant.

Thank you for your consideration.

Respectfully submitted,

Luke A. Bronin
Mayor

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

Introduced by:

Introduced by: Luke A. Bronin, Mayor

HEADING
AND
PURPOSE

**AN ORDINANCE MAKING GENERAL FUND APPROPRIATIONS TO REFLECT
REVISED PROJECT COSTS RELATIVE TO PUBLIC IMPROVEMENTS IN
THE BULKELEY HIGH SCHOOL PROJECT NO. 064-0313 RNV.**

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

January 27, 2020

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

Section 1. As authorized by the State of Connecticut, the sum of **\$149,000,000.00** is hereby appropriated by the City of Hartford, Connecticut (the "City") in the General Fund in support of public improvements in the Bulkeley High School Project No. 064-0313 RNV (the "Project"), which additional sum will increase the estimated project costs in the Project to **\$154,000,000.00**.

Section 2. The estimated useful life of the Project is not less than twenty years. The total estimated cost of the Project is **\$154,000,000.00**. The cost of the Project is expected to be defrayed from State and Federal grants for a full renovation to occur with a 95% reimbursement.

Section 3. The balance of any appropriation not needed to meet the cost of the Project authorized hereby may be transferred by resolution of the Court of Common Council to meet the actual cost of any other capital project of the City (including the Project authorized hereby and capital projects authorized by prior or future capital ordinances) for which an appropriation has been adopted; provided that the aggregate amount of the appropriation authorized pursuant to such transfer shall not be increased.

Section 4. The Mayor is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete the Project authorized herein and the financing thereof.

Section 5. The Mayor and City Treasurer, in the name of the City, are hereby authorized to, and if any such action shall heretofore have been taken, such action is hereby ratified and confirmed, (a) publish such notices, hold such hearings, make such representations and agreements, and take such other actions as shall be necessary, (b) make, execute and deliver all such additional and supplemental documents, (c) appoint any other consultants or professionals as required and (d) do and perform such acts and take such actions as may be necessary or required for the consummation of the transactions provided for and contemplated by this ordinance.

Section 6. The Mayor is authorized in the name and on behalf of the City to apply for and accept any and all Federal and State grants-in-aid for the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith to contract in the name of the City with engineers, contractors and others.

Leigh Ann Rawls, Director of Finance
ATTEST:

Luke A. Bronin, Mayor

Eric Lusa, Acting Town & City Clerk

This ordinance shall take effect upon adoption.

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.

INTRODUCED BY:

Councilwoman Marilyn E. Rossetti
Councilwoman Wildaliz Bermudez
Council President Maly D. Rosado
Majority Leader TJ Clarke II
Councilwoman Shirley Surgeon
Councilman Nick Lebron
Councilman James Sanchez
Councilman Joshua Michtom
Councilman John Q. Gale

COURT OF COMMON COUNCIL

City of Hartford, January 27, 2020

WHEREAS, In 1928, the City of Hartford Water Department donated a 165-acre former drinking-water reservoir and 765 acres of nearby and surrounding watershed land to the City's Department of Parks when these lands were abandoned as a source of drinking water; and

WHEREAS, Tens of thousands of residents of the City of Hartford (the "City") thereafter enjoyed use of the Batterson Park Reservoir now "Batterson Pond" for swimming, fishing, picnicking and hiking primarily from the 1930's until the 2015; and

WHEREAS, The City is still the owner of some of the remaining land and reservoir parcels that came to be known as Batterson Park and Batterson Park Pond located in the towns of Farmington, New Britain and Plainville (located approximately 10 miles from the center of Hartford), as well as certain buildings located on these parcels and now retains the land area known as the 262 acre "Batterson Park Pond" parcel, the 51 acre "Camp Courant" parcel, the 163 acre "Deadwood Swamp" parcel, and the 32 acre "Hospital Rock" parcel; and

WHEREAS, Currently the Batterson Pond parcel contains a number of structures and was the only area developed as active park recreation space while the other parcels have been used for flood retention, passive open space, and limited passive recreation such as hiking (with the exception of the parcel leased to Camp Courant); and

WHEREAS, The dislocation of Batterson Pond from the City and its residents poses significant barriers to use and unique management challenges; and

WHEREAS, With few city visitors and little political representation or advocacy, Batterson Park did not have a strong user constituency to advocate for its maintenance or improvement until now when a team of volunteer Hartford residents and non-residents working in conjunction with members of the Hartford Parks and Recreation Commission ("PRAC") established a "Friends" park caretaker and conservancy group similar to those already established at Elizabeth Park, Keney Park, Bushnell Park and Goodwin Park; and

WHEREAS, That "Friends" group has now received federal 501(c)(3) non-profit designation in the name of "Batterson Park Conservancy" and whose primary function as a non-profit land conservation organization is to conserve and protect Batterson Park and primarily Batterson Pond through public education, park maintenance, programming and eventual rehabilitation of facilities to restore it to a true regional destination park; and

WHEREAS, As part of its maintenance and conservancy efforts the Batterson Park Conservancy wants to begin fundraising activities on behalf of the Batterson Pond acreage; and,

WHEREAS, The Batterson Park Conservancy has identified the following limited goals for 2020-2021 such as making repairs to the bathroom and picnic areas, mowing certain areas for walking and recreational use, bringing in fresh beach sand, providing lifeguards on summer weekends, and coordinating some possible joint programming with Camp Courant; and

WHEREAS, The Batterson Park Conservancy now desires to gain approval under § 26-2 of the Code to use the name "Batterson Park Conservancy" in fundraising and publications, and affirms that (1) Membership in Batterson Park Conservancy is open to all residents of the city without regard to race, color, creed or nationality; (2) there are no fees for initiation and membership in Batterson Park Conservancy; and

WHEREAS, The Batterson Park Conservancy further affirms that fundraising efforts will be focused regionally, with no solicitation of institutional support from Hartford based charitable institutions; and

WHEREAS, The State of Connecticut through Representative Matt Ritter has expressed interest in a state funded one-time rehabilitation of Batterson Park.; now, therefore, be it

RESOLVED, That the Mayor may enter into an agreement with Batterson Park Conservancy for the purposes of operations and management of Batterson Park, and be it further

RESOLVED, that agreement with Batterson Park Conservancy may include the towns of New Britain, Farmington, and any other neighboring communities to Batterson Park who wish to join such an agreement, and be it further

RESOLVED, That the Mayor shall grant approval pursuant to § 26-2 of the Code to use the name "Batterson Park Conservancy" in fundraising and publications with Batterson Park Conservancy for the purposes of raising funds and public education about Batterson Park.

ITEM # 11 ON THE AGENDA

INTRODUCED BY:
COUNCILMAN JOSH MIGHTOM
COUNCILWOMAN WILDALIZ BERMUDEZ

COURT OF COMMON COUNCIL
City of Hartford, January 27, 2020

**RESOLUTION CALLING FOR A SEARCH AND INTERVIEW PROCESS FOR HARTFORD'S NEXT POLICE CHIEF
THAT INVOLVES HARTFORD'S RESIDENTS AND POLICE DEPARTMENT EMPLOYEES**

WHEREAS, the City of Hartford has been without a permanent Chief of Police since April of 2019;

WHEREAS, the Mayor, per the City Charter, is charged with nominating a new Chief of Police for approval by the Court of Common Council;

WHEREAS, the Chief of Police sets policies and practices that directly affect the lives of every Hartford resident and in particular affect the liberty and civil rights of the City's most marginalized residents;

WHEREAS, the Court of Common Council can best assess a nominee only if the hiring process has been transparent and included the input of community representatives, including, but not limited to, communities traditionally affected by overincarceration and overcriminalization, collective bargaining representatives for Police Department employees, undocumented migrant residents; crime victims, prosecutors, criminal defense attorneys, and experts in policing and criminal justice;

WHEREAS, the Hartford Police Department has recently been involved in controversies concerning its treatment of women and members of the LGBTQI+ community in the Department's employ, its failure adequately to address complaints concerning that treatment, and its response to allegations of excessive use of force; and

WHEREAS, to date, the Mayor has not taken any steps known to the Court of Common Council to create a transparent hiring process that involves Hartford residents as elaborated herein;

RESOLVED, the Court of Common Council calls upon the Mayor to implement a transparent, inclusive hiring process, as detailed herein, prior to nominating anyone for Chief of Police, to do so expeditiously, and to abide in his nominating decision by the recommendations that emerge from said process.

INTRODUCED BY

Council President Maly Rosado
Majority Leader TJ Clarke, II
Councilman James Sanchez
Councilwomen Marilyn Rossetti
Councilman Nick LeBron
Councilwomen Shirley Surgeon

COURT OF COMMON COUNCIL

City of Hartford,

January 27, 2020

WHEREAS, at the January 13, 2020 meeting of the Court of Common Council for the City of Hartford, the Council adopted a set of updated Council Rules;

WHEREAS, these newly adopted Council Rules included Section IX(5) which designated "A regular Public Works, Parks, Recreation and Environment Committee meeting will be held on the first Tuesday of each month at 5:30 P.M. in the Council Chambers.";

WHEREAS, for the more efficient and effective management of the Council Committees, this meeting should be changed to a different date;

RESOLVED, the Council Rules shall be amended for Section IX(5) to read "A regular Public Works, Parks, Recreation and Environment Committee meeting will be held on the second Wednesday of each month at 5:30 P.M. in the Council Chambers.