

MEETING NOTICE/AGENDA
LEGISLATIVE COUNCIL
ADMINISTRATION SPECIAL COMMITTEE MEETING

September 8, 2021

7:05 PM

REMOTE MEETING

LEGISLATIVE COUNCIL CHAMBERS AT MEMORIAL TOWN HALL WILL BE CLOSED AND THE COUNCIL COMMITTEE WILL BE CONDUCTING THE MEETING SOLEY USING ELECTRONIC EQUIPMENT

Public Comments on these agenda items will be heard at the opening of this committee

You can speak to any committee agenda item by joining the meeting, or send your comment/s in to LCpublicinput@hamden.com by 3:00 PM of this agenda date

For remote attendance:

To participate in public input live you must:

- 1. Have your name displayed on your screen**
- 2. Raise your hand to speak when the public input session is opened
(You will be called upon in the order that your hand is raised)**

The Chair will call your name and unmute you. You have 3 minutes to speak and will be warned when you have 30 seconds remaining and muted at the completion of 3 minutes

Please click the link below to join the webinar:

<https://zoom.us/j/96032210583>

Password: Dragons

Webinar ID: 960-3221-0583

If you experience any issue with the link above go to Zoom.com and click "join a meeting" and put in the following meeting ID and password - Meeting ID: 960-3221-0583 Password: Dragons

OR

Join by telephone. (For higher quality, dial a number based on your current location)

US: +1 646 558 8656 (New York): +1 312 626 6799 (Chicago): +1 301 715 8592 (Washington DC)
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International numbers available: <https://zoom.us/u/aH73IUF9D>

For additional sign-in support for any device or browser you can use the following link:

https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-meeting?mobile_site=true

Note: Any member of the public may request, in writing, a physical location and “any electronic equipment necessary” to attend the meeting in real time. Said request shall be made to KRenta@Hamden.com not less than twenty-four (24) hours prior to the meeting. Said individual shall have the “same opportunities to provide comment or otherwise participate” in the meeting as would be afforded if the meeting was held in person with the following exception: Under law, the Legislative Council is not required to adjourn or postpone a meeting if such person loses the ability to participate because of an interruption, failure or degradation of such person’s connection to the meeting by electronic equipment. Since the meeting is remote, participation by a quorum of members of any Committee of the Legislative Council is expressly prohibited and will not be present at the physical location.

AGENDA:

Public Hearing: Ordinance regulating facial recognition technology
<https://www.hamden.com/AgendaCenter/ViewFile/Agenda/09082021-2590>

Public Input: (any item)

1. Order authorizing the Town of Hamden to enter into an agreement with Lexis/Nexis
2. Ordinance regulating facial recognition technology

ZOOM sign in info:

1. Join using Zoom from your computer, tablet or smartphone by using the following link:
<https://zoom.us/j/96032210583> Password: Dragons
2. If you already have the Zoom App or go to the Zoom.com website, simply select “join a meeting” and complete the following: Webinar ID: 960-3221-0583 Password: Dragons

Or iPhone one-tap :

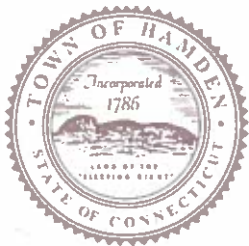
US: +13017158592,,96032210583# or +13126266799,96032210583#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 9128

International numbers available: <https://zoom.us/u/aH73lUF9D>



TOWN OF HAMDEN

OFFICE OF THE MAYOR

Curt Balzano Leng
Mayor

Hamden Government Center
2750 Dixwell Avenue
Hamden, Connecticut 06518
Tel: (203) 287-7100
Fax: (203) 287-7101

August 26, 2021

Legislative Council
Hamden Government Center
Hamden, CT 06518

Re: ORDER AUTHORIZING THE TOWN OF HAMDEN TO ENTER INTO AN AGREEMENT WITH
LEXIS/NEXIS

Honorable Members:

Enclosed please find an order for the Town of Hamden to enter into an agreement with Lexis/Nexis for State/Local Government online legal library/research services. The current subscription is for July 1, 2021 to June 30, 2022. This amendment is to extend this subscription for an additional three (3) year agreement from July 1, 2022 to June 30, 2025 with the same terms and at the same current rate of \$207 per month (\$2,484 per year).

Funding for this is included in the Fiscal Year 2021-2022 budget. During budget deliberations the Legislative Council requested that an extension be provided by the Town Attorney for the fees to be accounted for in the 2022-2023 budget.

Lexis/Nexis has provided a comprehensive array of research tools at a reasonable monthly cost which has been unchanged since July 1, 2019. For more information, please see attached correspondence from the Town Attorney Sue Gruen.

By copy of this letter, Town Attorney Sue Gruen is hereby requested to attend your meeting to respond to any questions you may have.

Your approval of this order is respectfully requested.

Sincerely


Curt Balzano Leng, Mayor

CBL/rr


Enclosures

cc: Town Attorney Sue Gruen, FD Scott Jackson, DFD Rick Galarza, COS Adam Sendroff, Mayor's Office
File

Memo

REVISED

TO : Mayor Curt Leng

FROM : Sue Gruen, Town Attorney 

DATE : September 1, 2021

CC: Adam Sendroff, COS
Phil Goodwin, Purchasing Agent

RE : Lexis/Nexis contract renewal

Enclosed please find Lexis/Nexis Subscription Amendment for State/Local Government for the purchase of online legal library/research services. Our current agreement is still in effect until June 30, 2022. However, knowing that the contract was due to expire in June 2022, during budget deliberations I was asked to bring back an extension so that the costs could be accounted for in future budgets. This agreement incorporates the current term at the current rate and extends the services for 3 additional years June 30, 2025. We have been offered a more advantageous rate for renewing a three (3) year contract and are seeking approval of same.

Lexis/Nexis provides a comprehensive array of research tools at a reasonable monthly cost. Our current monthly rate through June 30, 2022 is \$207.00. The extension rates are as follow:

07/01/2022- 06/30/2023	\$207.00 per month = \$2,484.00
07/01/2023- 06/30/2024	\$207.00 per month = \$2,484.00
07/01/2024- 06/20/2025	\$207.00 per month = \$2,484.00

This office has been very satisfied with the service Lexis/Nexis has provided over the years and approval of this Order and Agreement is respectfully requested. I spoke with Purchasing Agent Phil Goodwin who states that because this is a contract extension for the same services, a bid waiver is not required.

Please forward this to the Legislative Council for its consideration and approval.

Thank you.

**TOWN OF HAMDEN
LEGISLATIVE COUNCIL**

**ORDER AUTHORIZING THE TOWN OF HAMDEN TO ENTER INTO AN
AGREEMENT WITH LEXIS/NEXIS**

PRESENTED BY: _____

WHEREAS, the Town of Hamden wishes to enter into an agreement with Lexis/Nexis for online legal library research services for the Town Attorney's Office; and

WHEREAS, the current agreement extends from July 1, 2021 to June 30, 2022; and

WHEREAS, during the 2021-2022 budget deliberations, the Council requested we bring an extension to the body so that the fees could be accounted for in the 2022-2023 budget; and

WHEREAS, this agreement includes the current term at the current contract prices and extends the service for 3 additional terms at the current rate: July 1, 2021 to June 30, 2022 (\$207.00 per month, total \$2,484.00); July 1, 2022 to June 30, 2023 (\$207.00 per month, total \$2,484.00); July 1, 2023 to June 30, 2024 (\$207.00 per month, total \$2,484.00) and July 1, 2024 to June 30, 2025 (\$207.00 per month, total \$2,484.00).

NOW THEREFORE IT IS ORDERED, that the Mayor on behalf of the Town of Hamden is hereby authorized to enter into a LEXIS subscription Amendment for State/Local Government for the current year (July 1, 2021 to June 30, 2022) and three (3) additional years with agreement with Lexis/Nexis for online legal library research services for the Town Attorney's Office.

Adopted by the Legislative Council at its meeting held on _____, 2021.

APPROVED AS TO FORM:

Susan Gruen
Town Attorney

President
Legislative Council

Kim Renta, Clerk
Legislative Council

APPROVED:

Curt Balzano Leng
Mayor

Date: _____

"Subscriber" Name: Hamden Attorneys Office City Of

Account Number: 10000NS09

"LN": LexisNexis, a division of RELX Inc.
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1. Amendment

This Amendment ("Amendment") amends and supplements the terms of the Lexis Subscription Agreement previously entered into between LexisNexis, a division of RELX Inc. ("LN") and Subscriber (the "Subscription Agreement"). This Amendment shall serve as Subscriber's acceptance of the General Terms & Conditions for Use of the Online Services in effect as of the date of this Amendment and displayed at: <https://www.lexisnexis.com/en-us/terms/GovtAcademic/terms.page>.

2. Certification

- 2.1. Subscriber certifies that the number of government professionals in Subscriber's organization is as set forth below. A "Government Professional User" is defined as an attorney, judge, librarian, researcher, investigator or analyst who is employed by the Subscriber.

Number of Government Professional Users:

3

- 2.2. A "Support Staff User" is defined as a person who supports the Government Professional User, including, but not limited to: paralegals, interns, legal secretaries or other administrative support members. 3 ID's will be issued to support staff for each Government Professional User accounted for above. Support Staff Users will receive access at no additional charge.
- 2.3. Each LN ID must be issued for individual use by the Government Professional User or Support Staff User.
- 2.4. If Subscriber, at the time of signing this Amendment has 11 or more Government Professional Users, then Subscriber is required to notify LN if the number of Government Professional Users falls below 11. Subscriber shall, within 30 days of the staffing change, notify LN in writing.
- 2.5. Subscriber acknowledges that the pricing and menus provided to Subscriber in this Amendment depend in part on the number of Government Professional Users in Subscriber's organization. Subscriber certifies that as of the date Subscriber signs this Amendment there are the number of Government Professional Users in Subscriber's organization (the "Reference Number") as Subscriber has specified above.
- At LN's request from time to time, Subscriber will certify in writing the then-current Reference Number.
 - If there is a change in the Reference Number during the Term, LN may, in its sole discretion on at least 30 days prior written notice to Subscriber, increase or decrease the Monthly Commitment by an amount that does not exceed, on a percentage basis, the change in the Reference Number.

3. Lexis Product and Charges

- 3.1. This Section 3 amends the Subscription Agreement with respect to the Lexis product offering described below. The term of Subscriber's commitment for the Lexis product offering will begin upon the date Subscriber's billing account ("Account Number") is activated ("Activation") and will continue for the last period set forth in Section 3.3 below (the "Committed Term"). Subscriber may not terminate this Amendment for convenience under the General Terms during the Committed Term. Notwithstanding the foregoing, Subscriber may terminate this Amendment during the Committed Term for a material breach by LN that remains uncured for more than 30 days after LN receives written notice from Subscriber identifying a specific breach. If Subscriber terminates this Amendment pursuant to this Section, then Subscriber will pay all charges incurred up to the date of termination.

Lexis Content & Features		
Product	SKU Number	Number of Users
National Primary Enhanced	1011581	3
CT Practice Library	1011994	3
City Attorney Basic Library	1011968	3

- 3.2. During the Term, the premium features Shepard's Graphical and Research Map will be included at no additional charge.
- 3.3. In exchange for access to the Lexis Content, Feature and/or Service set forth above in Section 3.1, Subscriber will pay to LN the following amount (the "Monthly Commitment") during the periods set forth below.

Committed Term	Monthly Commitment
7/1/2021-6/30/2022	207
7/1/2022-6/30/2023	207
7/1/2023-6/30/2024	207
7/1/2024-6/30/2025	207

- 3.4. During the Term, LN may make content and features available to Subscriber that are not included in the Lexis Content described above which will be offered to Subscriber at an additional charge ("Alternate Materials"). Subscriber will be under no obligation to access and use the Alternate Materials, or to incur additional fees beyond the Monthly Installment. If Subscriber elects to access the Alternate Materials by initialing below, Subscriber will be notified that additional charges will apply before the Alternate Materials is displayed. If Subscriber proceeds to access the Alternate Materials, Subscriber will pay the then current, transactional charge(s) for the Alternate Materials that is displayed at the time of access.

Subscriber elects access to the Alternate Materials

(Initial)

- 3.5. Use of Lexis under this Amendment is available to Subscriber and its Authorized Users (defined in the General Terms).
- 3.6. LN may temporarily suspend access to Lexis until all unpaid amounts are paid in full. No claims directly or indirectly related to this Amendment with respect to amounts billed or payments made under this Amendment may be initiated by Subscriber more than 6 months after such amounts were first billed to Subscriber.
4. **Closed Offer**
The prices and other terms are subject to change if Subscriber has not submitted a signed original or copy on or before _____.
5. **Confidential Information**
Subject to any state open records or freedom of information statutes, this Amendment contains confidential pricing information of LN. Subscriber understands that disclosure of the pricing information contained herein could cause competitive harm to LN, and will receive and maintain this Amendment in

trust and confidence and take reasonable precautions against such disclosure to any third person. This Section 5 will survive the termination or expiration of this Amendment.

6. Support and Training

During the Term, Subscriber, with the support of LN, agrees to encourage the effective use of Lexis through:

- (a) Meaningful participation in additional ongoing programs presented by LN to update and train Authorized Users;
- (b) Authorize the periodic distribution of memos or other communications by LN and/or Subscriber to Authorized Users; and
- (c) The periodic review with LN of Subscriber's Authorized User's use of materials and training under this Amendment.

7. Miscellaneous

This Amendment does not bind either party until it has been accepted by both parties. Subscriber may accept this Amendment by signing below. LN will accept this Amendment by providing Subscriber with access to Lexis or by signing below.

LEXISNEXIS WILL NOT ACCEPT ANY CHANGES, CORRECTIONS OR ADDITIONS TO THIS AMENDMENT UNLESS SUCH CHANGES ARE EXPRESSLY ACCEPTED BY LN IN WRITING. SUCH CHANGES WILL HAVE NO LEGAL EFFECT.

AGREED TO AND ACCEPTED BY:

Subscriber:	Hamden Attorneys Office City Of
[MUST BE COMPLETED BY SUBSCRIBER]	
Authorized Subscriber Signature:	_____
Printed Name:	Curt Balzano Leng
Job Title:	Mayor, Duly Authorized
Date:	_____
Number of Professional Users:	_____

LexisNexis, a division of RELX Inc.

[COMPLETED BY LEXISNEXIS]

Authorized Signature:	_____
Name:	_____
Job Title:	_____
Date:	_____

Legislative Council

Memo

To: Legislative Council Members

Cc: Mayor's Office
Town Clerk

From: Kim Renta, LC Administrator/Clerk

K.R.

Date: September 2, 2021

Re: Ordinance regulating facial recognition technology

Council Members,

The above item has been submitted by Councilman Macdowall for consideration.

Attached is his email of explanation on this item.

Kimberly Renta

From: Brad Macdowall
Sent: Monday, August 16, 2021 10:56 PM
To: Kimberly Renta
Cc: Austin Cesare; Sue Gruen
Subject: Legislation for September Committee meeting
Attachments: facial.recognition.technology.ordinance.doc

Administrator Renta,

The intent of this email is to file with you the attached legislation, which bans the use of facial recognition technology by our municipal government. I have Cc'ed Councilmember Cesare, who will be co-introducing this legislation with me.

This bi-partisan effort is the culmination of over 5 months of research and drafting, including conversations with local law enforcement and vetting by our Town Attorney's office as you can see by the below forwarded email. The legislation uses language provided to us by the American Civil Liberties Union and has been successful in other municipalities in our region. This meaningful reform is an important first step in protecting the Constitutional rights of community members, especially Black and Asian women who see overwhelmingly disproportionate numbers of false matches and misidentification with this technology.

We look forward to this item on the September Committees agenda. Please confirm receipt.

All the best,

--

Brad Macdowall

Legislative Councilmember
Hamden, Connecticut

BTMacdowall@Hamden.com
203-927-1075

From: Sue Gruen
Sent: Monday, August 9, 2021 10:05 AM
To: Brad Macdowall; Brendan Sharkey (jbs@sharkey-law.com)
Subject: facial.recognition.technology.ordinance.doc

Please see attached.

Sue Gruen
Town Attorney
2750 Dixwell Avenue
Hamden, CT 06518
(203)287-7050 (office)
(203)287-7055 (direct)

**TOWN OF HAMDEN
LEGISLATIVE COUNCIL**

ORDINANCE REGULATING FACIAL RECOGNITION TECHNOLOGY

Presented by: Brad Macdowall, Councilperson-at-Large.

WHEREAS, the Legislative Council of the Town of Hamden finds that facial recognition poses unique and significant civil rights and civil liberties threats to the residents and visitors of the Town of Hamden; and

WHEREAS, the Legislative Council finds that facial recognition technology has a history of being far less accurate in identifying the faces of women, young people, and people of color and that such inaccuracies place certain persons at an elevated risk of harmful “false positive” identifications; and

WHEREAS, the Legislative Council of the Town of Hamden finds that many of the databases to which facial technology is applied are plagued by racial and other biases; and

WHEREAS, the Hamden Legislative Council finds that the public use of facial recognition can chill the exercise of constitutionality protected free speech; and

WHEREAS, the Hamden Legislative Council finds that the benefits of using facial recognition, are outweighed by its harms.

NOW, THEREFORE, BE IT ORDAINED that Chapter 105 Is added to Title IX: General Regulations of the Code of Ordinances and Sections 105.01 to 102.05 are hereby adopted as set forth below.

§105.01. Definitions.

- (A) “Facial Recognition” shall mean an automated or semi-automated process that assists in identifying an individual, capturing information about an individual, based on the physical characteristics of any individual’s face.
- (B) “Facial recognition system” shall mean any computer software or application that performs facial recognition.
- (C) “Hamden” shall mean any department, agency, or division of the Town of Hamden, CT.
- (D) “Hamden official” shall mean any person or entity acting on behalf of the Town of Hamden, including any officer, employee, agent, contractor, subcontractor or vendor.

§105.02. Ban on Town Use of Facial Recognition.

- (A) It shall be prohibited for the Town of Hamden or any Hamden official to obtain, retain, access or use:
 - (1) Any facial recognition system; or
 - (2) Any information obtained from a facial recognition systems.

§102.03. Enforcement.

(A) No data collected or derived from any use of facial recognition in violation of this Ordinance and no evidence derived therefrom may be received in evidence in any hearing or other proceeding in or before any department, officer, agency, committee, board, commission or other authority under the jurisdiction of the Town of Hamden.

(B) Training. The Town will address alleged violations of this ordinance in accordance with applicable law and contractual obligations.

Adopted by the Legislative Council at its meeting held on _____, 2021.

APPROVED AS TO FORM:

Susan Gruen
Town Attorney

President
Legislative Council

Kimberly Renta, Clerk
Legislative Council

APPROVED:

Mayor Curt Balzano Leng

DATE: _____

Ordinance Number:

Published:

Newspaper:

Date: