

# CITY OF PROVIDENCE RHODE ISLAND



## CITY COUNCIL JOURNAL OF PROCEEDINGS

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No. 19 City Council Regular Meeting, Thursday, July 7, 2005, 7:30 o'clock P.M. (E.D.T.)

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PRESIDING  
COUNCIL PRESIDENT  
JOHN J. LOMBARDI

### ROLL CALL

Present: COUNCIL PRESIDENT  
LOMBARDI, COUNCILMEN APONTE,  
BUTLER, DeLUCA, COUNCILWOMAN  
DIRUZZO, COUNCILMEN IGLIOZZI,  
JACKSON, LUNA, MANCINI, COUNCIL-  
WOMAN ROMANO, COUNCILMAN  
SEGAL and COUNCILWOMAN  
WILLIAMS - 12.

Absent: COUNCILMEN ALLEN, HASSETT  
and COUNCILWOMAN YOUNG - 3.

Also Present: Adrienne G. Southgate,  
Deputy City Solicitor, Claire E. Bestwick,  
Acting City Clerk, Anna M. Stetson,  
Second Deputy City Clerk, Sheri A.  
Petronio, Assistant Clerk and Vincent J.  
Berarducci, City Sergeant.

2006 DEC 28 P 2:10  
DEPT. OF CITY CLERK  
PROVIDENCE, R.I.

FILED

JAN 11 2007  
IN CITY COUNCIL

*Anna M. Stetson*  
READ  
WHEREUPON IT IS ORDERED THAT  
THE SAME BE APPROVED.

## INVOCATION

The Invocation is given by COUNCIL-  
MAN JOHN J. IGLIOZZI.

## PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

TROOP 888, JULIUS B. SMITH, 1<sup>ST</sup>  
CLASS SCOUT, RAFAEL A. GUTIERREZ,  
JR., 2<sup>ND</sup> CLASS SCOUT, PATRICK J.  
DOCHETY, SR., COMMITTEE CHAIR  
and PAUL D. MOTT, ASSISTANT SCOUT  
MASTER Leads the Members of the City  
Council and the Assemblage in the  
Pledge of Allegiance to the Flag of the  
United States of America.

On motion of COUNCILMAN APONTE,  
seconded by COUNCILMAN BUTLER, it  
is voted to Suspend Rule 14 of the City  
Council Rules in order to take the  
following matter out of order.

## COMMUNICATION

Communication from Councilman Peter S. Mancini, dated June 1, 2005, Informing the Honorable John J. Lombardi, Council President, of his resignation from the Providence Water Supply Board effective June 30, 2005.

**COUNCIL PRESIDENT LOMBARDI**  
**Receives the foregoing Communication.**

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## ELECTION

Election of One Councilmanic Member to the Water Supply Board.

**COUNCIL PRESIDENT LOMBARDI** calls for Nominations for One Councilmanic Member to the Water Supply Board.

**COUNCILMAN APONTE**, Nominates Councilman Patrick K. Butler, and this Nomination is seconded by **COUNCIL WOMAN WILLIAMS**.

**COUNCIL PRESIDENT LOMBARDI**, calls for further Nominations and there being none, on Motion of **COUNCILMAN**

**APONTE**, seconded by **COUNCILWOMAN WILLIAMS**, it is voted that Nominations be closed and the Clerk is directed to cast One Ballot for **COUNCILMAN PATRICK K. BUTLER**.

The Clerk casts One Ballot as directed.

**COUNCIL PRESIDENT LOMBARDI**, thereupon declares **COUNCILMAN PATRICK K. BUTLER**, duly elected to the Water Supply Board.

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## APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated June 13, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1017 of the Providence Home Rule

Charter of 1980, as amended, he is this day appointing Edward B. Lebby of 60 Fairview Street, Apt. #3, Providence, RI 02908, as the Director of the Department of Traffic

Engineering, and respectfully submits the same for approval.

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Communication dated June 28, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Pich Chhouen of 285 Althea Street, Providence, RI 02909, as a member of the Human Relations Commission for a term to expire in January 2008, and respectfully submits the same for approval. (Mr. Chhouen will be replacing Howard Phengsomphone.)

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Communication dated June 28, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Maryelyn Cepeda-Sanchez of 44 Alvin Street, Providence, RI 02907, as a member of the Human Relations Commission for a term to expire in January 2009, and respectfully submits the same for approval. (Ms. Cepeda-Sanchez will be replacing Laura Rodriguez.)

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Communication dated June 28, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Wendy Becker of 211 Howell Street, Providence, RI 02906, as a member of the Human Relations Commission for a term to expire in January 2007, and respectfully submits the same for approval. (Ms. Becker will be replacing Fitzgerald Himmelsbach.)

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Communication dated June 28, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Dana Benton of 226 Gallatin Street, Providence, RI 02907, as a member of the Human Relations Commission for a term to expire in January 2009, and respectfully submits the same for approval. (Ms. Benton will be replacing Keith Oliviera.)

**COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI Refers the Several Communications to the Committee on Finance.**

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## PRESENTATION OF ORDINANCE

### **COUNCILWOMAN WILLIAMS (By Request):**

An Ordinance Amending the City of Providence Zoning Ordinance Chapter 1994-24, No. 365, Approved June 27, 1994, As Amended.

### **COUNCIL PRESIDENT LOMBARDI Refers the Ordinance to the Committee on Ordinances.**

## PRESENTATION OF RESOLUTIONS

### **COUNCIL PRESIDENT LOMBARDI, COUNCILMEN ALLEN, APONTE, BUTLER, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS AND YOUNG:**

Resolution Extending Sincere Best Wishes to Michael R. Clement, City Clerk for a complete and speedy recovery.

*Resolved,* That the Members of the Providence City Council hereby Extend Sincere Best Wishes to Michael R. Clement, City Clerk for a complete and speedy recovery.

### **COUNCIL PRESIDENT LOMBARDI, COUNCILMEN ALLEN, APONTE, BUTLER, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, JACKSON, LUNA, MANCINI,**

### **COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS AND YOUNG:**

Resolution Extending Sincere Best Wishes for a Happy Birthday to Councilman John J. Iglioizzi on July 8, 2005.

*Resolved,* That the Members of the Providence City Council hereby Extend Sincere Best Wishes for a Happy Birthday to Councilman John J. Iglioizzi on July 8, 2005.

### **COUNCIL PRESIDENT LOMBARDI, COUNCILMEN ALLEN, APONTE, BUTLER, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, IGLIOZZI, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS AND YOUNG:**

Resolution Extending Sincere Best Wishes for a Happy Birthday to Councilman Kevin Jackson on July 13, 2005.

*Resolved*, That the Members of the Providence City Council hereby Extend Sincere Best Wishes for a Happy Birthday to Councilman Kevin Jackson on July 13, 2005.

**COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, seconded by COUNCILWOMAN WILLIAMS.**

**The Motion for Passage is Sustained.**

**COUNCIL PRESIDENT LOMBARDI, COUNCILMEN BUTLER, MANCINI, APONTE, IGLIOZZI, COUNCILWOMEN DiRUZZO and ROMANO:**

Resolution directing the City Solicitor to immediately initiate discussion with the Fraternal Order of Eagles for the return of the Ten Commandments monument to its former home in Roger Williams Park.

*Whereas*, The Fraternal Order of Eagles gifted an 8-foot granite monument of the Ten Commandments to the City of Providence in November 1963; and,

*Whereas*, The Ten Commandments monument was accepted by the City of Providence and located in Roger Williams Park where it remained for 42 years; and,

*Whereas*, By accepting said monument it became city property, subject to the same rules and regulations as any other city asset; and,

*Whereas*, Acting upon inaccurate advice from the City Solicitor, the Fraternal Order of Eagles relocated the monument to another site outside the City of Providence; and,

*Whereas*, The U.S. Supreme Court has recently ruled that displaying the Ten Commandments on public property is in fact allowable and constitutional; and,

*Whereas*, The City Solicitor acted frivolously and with undue haste in recommending its removal; and,

*Whereas*, Said transfer of city property was done in violation of the Providence City Charter and without consultation with the Board of Park Commissioners which oversees Roger Williams Park; and,

*Whereas*, Numerous citizens have expressed their concern, outrage and displeasure with the removal of this monument.

*Now, therefore, be it resolved*, That the City Solicitor is hereby directed to immediately commence efforts to effectuate the safe return of the Ten Commandments monument to its former home in Roger Williams Park

**COUNCIL PRESIDENT LOMBARDI  
RELINQUISHES THE CHAIR**

**ACTING COUNCIL PRESIDENT  
DiRUZZO IN THE CHAIR**

**COUNCIL PRESIDENT LOMBARDI  
RETURNS TO THE CHAIR**

**COUNCILMAN APONTE Withdraws  
his motion for Passage of the Several  
Resolutions and COUNCILWOMAN**

**WILLIAMS Withdraws her second of the Motion.**

**COUNCILMAN DeLUCA Moves Passage of the foregoing Resolution and Refers it to the Board of Park Commissioners, seconded by COUNCILMAN APONTE.**

**COUNCILMAN LUNA AND COUNCILMAN SEGAL ARE RECORDED AS "NOT VOTING".**

**The Motion for Passage is Sustained.**

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**COUNCILMEN APONTE AND HASSETT  
(By Request):**

Resolution Authorizing the Providence Redevelopment Agency to cause the transfer of Assessor's Plat 5, Lot 459 (90 Cypress Street), Assessor's Plat 5, Lot 460 (86 Cypress Street), Assessor's Plat 5, Lot 461 (82 Cypress Street), Assessor's Plat 8, Lot 10 (34 Pleasant Street), Assessor's Plat 23, Lot 137 (53 Myrtle Street), Assessor's Plat 23, Lot 143 (466 Friendship Street), Assessor's Plat 23, Lot 144 (45 Myrtle Street), Assessor's Plat 23, Lot 204 (55 Myrtle Street), Assessor's Plat 48, Lot 780 (61 Baxter Street) and Assessor's Plat 48, Lot 781 (57 Baxter Street), to the City of Providence, as said lots have been transformed into parks.

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Resolution Authorizing the Providence Redevelopment Agency to cause the transfer of Assessor's Plat 5, lot 114 (22 Western Street), Assessor's Plat 5, Lot 116 (41 Padelford Street) and Assessor's Plat 20, Lot 368 (85 Dyer Street) to the City of

Providence, as said lots have been transformed into streets.

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Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 68, Lot 85 (217 Douglas Avenue), in accordance with Rhode Island General Law 44-7-23, in the amount of Two Thousand Six Hundred Dollars and Ninety-Six Cents (\$2,600.96), along with any associated interest, penalties and intervening taxes, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

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Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 68, Lot 87 (223 Douglas Avenue), in accordance with Rhode Island General Law 44-7-23, in the amount of Two Thousand Six Hundred Dollars and Ninety-Six Cents (\$2,600.96), along with any associated interest, penalties and intervening taxes, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

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Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 68, Lot 86 (219 Douglas Avenue), in accordance with Rhode Island General Law 44-7-23, in the amount of Two Thousand Six Hundred Dollars and Ninety-Six Cents (\$2,600.96), along with any associated interest, penalties and intervening taxes, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

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Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 68, Lot 84 (211 Douglas Avenue), in accordance with Rhode Island General Law 44-7-23, in the amount of Two Thousand Six Hundred Dollars and Ninety-Six Cents (\$2,600.96), along with any associated interest, penalties and intervening taxes, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

**COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI Refers the Several Resolutions to the Committee on Finance.**

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**COUNCILMAN DeLUCA:**

Resolution Requesting the Traffic Engineer to cause the replacement of the missing "Stop Sign" on Herschel Street and Bel Air Drive.

*Resolved*, That the Traffic Engineer is hereby requested to cause the replacement of the missing "Stop Sign" on Herschel Street and Bel Air Drive.

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**COUNCILMAN DeLUCA and COUNCILWOMAN DiRUZZO:**

Resolution Requesting the Traffic Engineer to cause the centerline to be painted on Manton Avenue.

*Resolved*, That the Traffic Engineer is hereby requested to cause the centerline to be painted on Manton Avenue.

Resolution Requesting the Traffic Engineer to cause Pope Street to be closed to motor vehicle traffic from Manton Avenue to Kossuth Street on Saturday, July 30, 2005 from 9:00 o'clock A.M. to 4:00 o'clock P.M. to accommodate St. Teresa's Church Feast.

*Resolved*, That the Traffic Engineer is hereby requested to cause Pope Street to be closed to motor vehicle traffic from Manton Avenue to Kossuth Street on Saturday, July 30, 2005 from 9:00 o'clock A.M. to 4:00 o'clock P.M. to accommodate St. Teresa's Church Feast.

**COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, seconded by COUNCILWOMAN WILLIAMS.**

**The Motion for Passage is Sustained.**

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**COUNCILMAN DeLUCA and COUNCILMAN IGLIOZZI:**

Resolution Requesting the Traffic Engineer to cause the installation for a traffic control signal at Manton Avenue and Glenbridge Avenue.

**COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Public Works.**

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Resolution Requesting the Director of Public Works to cause the removal of a phone booth on City property at 321-325 Manton Avenue.

**COUNCIL PRESIDENT LOMBARDI**  
**Refers the Resolution to the Committee**  
**on City Property.**

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**COUNCILMAN HASSETT:**

Resolution Authorizing the Department of Planning and Development to establish the "Neighborhood Storefront Loan Fund" for local neighborhood businesses in the Chalkstone Avenue, Douglas Avenue and Smith Street commercial centers.

**COUNCIL PRESIDENT LOMBARDI**  
**Refers the Resolution to the Committee**  
**on Urban Redevelopment, Renewal and**  
**Planning.**

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Resolution Requesting the Traffic Engineer to establish a "3 Hour Parking" restriction along Jewett Street from that point at Holden Street to Calais Street, along the even numbered addresses.

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Resolution Requesting the Traffic Engineer is hereby requested to cause the installation of a "Slow" Sign in the vicinity of 154 Jewett Street, or at that point of turn in the roadway.

**COUNCILMAN APONTE Moves to**  
**Dispense with the Reading of the**  
**foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI**  
**Refers the Several Resolutions to the**  
**Committee on Public Works.**

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**COUNCILMAN JACKSON (By Request):**

Resolution Requesting the Chief Electrical Inspector to cause the upgrade of street lighting along Ninth Street between North Main Street and Hope Street to 27,500 lumen.

*Resolved, That the Chief Electrical Inspector is hereby requested to cause the upgrade of street lighting along Ninth Street between North Main Street and Hope Street to 27,500 lumen.*

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**COUNCILMAN LUNA (By Request):**

Resolution Requesting Narragansett Electric to move Pole #4 on Cyr Street to the right side, because it interferes with the driveway at 31 Cyr Street.

*Resolved, That Narragansett Electric is hereby requested to move Pole #4 on Cyr Street to the right side, because it interferes with the driveway at 31 Cyr Street.*

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**COUNCILMAN MANCINI (By Request):**

Resolution Requesting the Chief Electrical Inspector to cause the upgrade of street lighting on Hillview Avenue.

*Resolved, That the Chief Electrical Inspector is hereby requested to cause the upgrade of street lighting on Hillview Avenue.*

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**COUNCILMAN APONTE Moves to**  
**Dispense with the Reading of the**  
**foregoing matters and Moves Passage of**  
**the Several Resolutions, seconded by**  
**COUNCILMAN BUTLER.**

**The Motion for Passage is Sustained.**

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Resolution Requesting the Traffic Engineer to cause the installation of "Four-Way Stop" Signs at the intersection of Academy Avenue and Salter Street.

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Resolution Requesting the Traffic Engineer to cause the installation of "No Parking" Signs on both sides of Gloucester Street at Admiral Street.

**COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI Refers the Several Resolutions to the Committee on Public Works.**

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Resolution Requesting the Traffic Engineer to cause the placement of two "Slow Children" Signs on both sides of Admiral Street before the point where it meets Middle Drive.

*Resolved*, That the Traffic Engineer is hereby requested to cause the placement of two "Slow Children" Signs on both sides of Admiral Street before the point where it meets Middle Drive.

**Read and Passed, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.**

**The Motion for Passage is Sustained.**

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**COUNCILMAN SEGAL:**

Resolution Requesting the Traffic Engineer to cause the installation of "Goulding Street" Signs on Transit Street and Wickenden Street.

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Resolution Requesting the Traffic Engineer to remove in its entirety the "No Parking Zone" on Traverse Street in front of Holy Rosary Church, creating legal parking and two handicapped parking spaces.

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Resolution requesting the Traffic Engineer to cause the installation of "Elderly Crossing" Signs at 140 Pitman Street.

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Resolution requesting the Traffic Engineer to cause the installation of a caution light at 140 Pitman Street.

**COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI Refers the Several Resolutions to the Committee on Public Works.**

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## REPORTS FROM COMMITTEES

### COMMITTEE ON CITY PROPERTY

#### COUNCILWOMAN JOSEPHINE DiRUZZO, Chairwoman

Transmits the Following with  
Recommendation the Same be  
Severally Approved:

Petition of James Ricci, 992 Manton Avenue, requesting permission to abandon a small strip of City owned property located in front of 992 Manton Avenue.

**COUNCIL PRESIDENT LOMBARDI  
Refers the Petition Back to the  
Committee on City Property.**

Resolution Granting the purchase of a portion of City owned property on the corner of Sharon Street and Smith Street.

*Whereas*, On July 23, 2004, Dr. Vito D. Buonomano and Louise J. Buonomano, petitioners, sought to purchase a portion of City property immediately adjacent to a residence and office located at 945 Smith Street in the City of Providence (AP 81, Lot 39), having been advised that their garage was encroaching on a playground at Fagnoli Park (AP 71, Lot 451); and

*Whereas*, the matter was presented to City Council on September 2, 2004, and thereafter was referred to the City Property Commission, where it was considered at meetings held on October 20, 2004 and March 29, 2005; and

*Whereas*, during the March meeting, information was provided showing that the City was likewise encroaching on certain property owned by the petitioners, and had in fact sited a monument and a portion of a playground on the petitioners' property; and

*Whereas*, the Law Department requested that the Tax Assessor arrange for an appraisal of both the petitioners' encroachment on City property and the City's encroachment on the petitioners' property; and

*Whereas*, on May 13, 2005, Andolfo Appraisal Associates, Inc. submitted its valuations of the two properties, finding that the petitioners' encroachment had a value of \$1,071 and that the City's encroachment had a value of \$1,080; and

*Whereas*, the City's Home Rule Charter, Section 416 (7), states:

No city property shall be exchanged for other property until an appraisal of all property included in the exchange has been made by the city assessor and the value of the property to be received by the city equals or exceeds the value of the property to be disposed of by the city. Exchange of property

must be authorized by resolution passed by an affirmative vote of the majority of the entire city council unless otherwise specified by this Charter.

*Now, Therefore, Be It Resolved,* that Petitioners are granted permission to exchange the 60 square feet, more or less, which they own in AP 81, Lot 39, for the 59.5 square feet, more or less, which the City owns in AP 71. Lot 451. Said grant is specifically conditioned upon the following:

1. For such grant and other good and valuable consideration. Petitioners shall indemnify and hold harmless the City of Providence its agents, officers, servants, and employees from any and all claims, demands, suits and compromise, both for damage to property and damages to persons, of whatever kind may result from the exchange of property.

2. Petitioners shall record this exchange in the Land Evidence Records of the City of Providence within sixty (60) days of an affirmative vote by the City Council.

3. Such other terms and conditions as may be imposed by His Honor, the Mayor, the City Solicitor, and the City Property Commission.

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Resolution Granting Permission to allow T-Mobile and Verizon Wireless to lease space

on Mount Pleasant High School for the installation of antennas for cellular phone service.

*Resolved,* That His Honor, the Mayor, is hereby authorized to negotiate and to execute a Lease, together with any and all necessary and ancillary documents, between the City of Providence and Cellco Partnership, d/b/a Verizon Wireless for the installation of antennas at Mount Pleasant High School to provide cellular telephone service.

**COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, seconded by COUNCILWOMAN WILLIAMS.**

**The Motion for Passage is Sustained.**

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**AT EASE**

**RECONVENTION**

**COUNCILMAN DeLUCA IS RECORDED AS VOTING "NO" on a Resolution Granting Permission to allow T-Mobile and Verizon Wireless to lease space on Mount Pleasant High School for the installation of antennas for cellular phone service.**

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**COMMITTEE ON FINANCE****COUNCILMAN KEVIN JACKSON, Chairman**

**Transmits the Following with  
Recommendation the Same be Adopted,  
As Amended:**

An Ordinance in Amendment of  
Ordinance No. 85, Chapter 1997-18 Entitled:

"An Ordinance to Adopt the ProvPort, Inc.  
Tax Exemption Agreement, As Amended."

**Transmits the Following with  
Recommendation the Same be  
Severally Adopted:**

An Ordinance Establishing and Granting  
a Tax Stabilization Plan for 65 Pavilion, LLC,  
with respect to Assessor's Plat 54, Lot 155 of  
the City of Providence.

An Ordinance Establishing and Granting  
a Tax Stabilization Plan for Sampalis Realty,  
LLC with respect to Assessor's Plat 20, Lot  
176 of the City of Providence.

**COUNCILMAN APONTE Moves to  
Dispense with the Reading of the  
foregoing matters and Moves Passage of  
the Several Ordinances, the First Time,  
seconded by COUNCILWOMAN  
WILLIAMS, by the Following Roll Call  
Vote:**

**AYES: COUNCIL PRESIDENT  
LOMBARDI, COUNCILMEN APONTE,  
BUTLER, COUNCILWOMAN DiRUZZO,  
COUNCILMEN IGLIOZZI, JACKSON,  
LUNA, MANCINI, COUNCILWOMAN  
ROMANO, COUNCILMAN SEGAL and  
COUNCILWOMAN WILLIAMS - 11.**

**NAYES: DeLUCA. - 1**

**NOT VOTING: COUNCILMAN SEGAL  
request to be recorded as "NOT VOTING"  
on "An Ordinance Establishing and  
Granting a Tax Stabilization Plan for 65  
Pavilion, LLC, with respect to Assessor's  
Plat 54, Lot 155 of the City of  
Providence" and "An Ordinance  
Establishing and Granting a Tax  
Stabilization Plan for Sampalis Realty,  
LLC with respect to Assessor's Plat 20,  
Lot 176 of the City of Providence."**

**ABSENT: COUNCILMEN ALLEN,  
HASSETT and COUNCILWOMAN  
YOUNG - 3.**

**The Motion for Passage of the  
Several Ordinances the First Time is  
Sustained.**

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**Transmits the following with  
Recommendation the Same be  
Severally Approved, As Amended:**

Resolution Directing the Employees' Retirement System to utilize a special definition of "Final Compensation" in calculating the pension of the late Detective Sergeant James Allen.

*Whereas*, Detective Sergeant James Allen served honorably as a police officer for the City of Providence, State of Rhode Island for twenty-seven years; and

*Whereas*, Detective Sergeant James Allen's service as an officer of the Providence Police Department was, and continues to be, exemplary of dedication and commitment to the police profession and the civic duty which that profession seeks to fulfill; and

*Whereas*, Detective Sergeant James Allen gave his life on April 17, 2005 while in the performance of his duty as a police officer and public servant to the City of Providence, an act of sacrifice for which he has been awarded the Medal of Valor and Purple Heart Ribbons; and

*Whereas*, The citizens of the City of Providence have expressed, through acts both public and private, gratitude for the aforementioned sacrifice, and mourning at the loss of a valued public servant; and

*Whereas*, The Providence City Council is empowered, under the Home Rule Charter Article IV, Section 401, to exercise its legislative authority to insure the welfare and good order of the City; and

*Whereas*, The Providence City Council seeks to express the ongoing gratitude of the City of Providence and its citizens to the family of Detective Sergeant James Allen for his sacrifice in service to the City of Providence;

*Now, Therefore, Be It Resolved*, That the City of Providence hereby suspends the definition of "Final Compensation" as it applies to Detective Sergeant James Allen, and substitutes the following:

"Final compensation, as defined in Section 17-181 of the Code of Ordinances, shall mean the average of the highest 52 weeks of compensation, excluding payments made for overtime or payments made for temporary or extra duties beyond the normal or regular work day."

**Read and Passed, on Motion of  
COUNCILMAN APONTE, seconded by  
COUNCILWOMAN WILLIAMS.**

Resolution authorizing the financing and equipping of schools and school facilities in the city, including but not limited to, a new high school and an indoor sports complex, including design and feasibility, engineering or other studies which may be necessary in connection therewith and any other acts necessary or incidental thereto, and to issue bonds, notes or other evidences of indebtedness in an amount not to exceed Forty Two Million (\$42,000,000) Dollars to provide funding for the projects.

*Whereas*, The Providence Public Buildings Authority (the "Authority") was constituted as a body corporate and politic of the City of Providence pursuant to the provisions of Chapter 50 of title 45 of the General Laws of Rhode Island (the "Act") and a resolution duly passed by this City Council on August 13, 1987; and

*Whereas*, The Authority may develop its projects only upon the request of the Mayor and the City Council; and

*Whereas*, the general laws relating to school housing aid from the State of Rhode Island have been amended to allow the inclusion of interest as a "school: housing project cost" only if the bonds or other financing for such projects are issued through this Rhode Island Health and Educational Building Corporation ("RIHEBC"); and

*Whereas*, existing financing arrangements with the Authority relating to school projects may require that the Authority participate with RIHEBC in the financing of school projects for the City; and

*Whereas*, The Mayor has submitted the proposal attached hereto as Exhibit "A" for the City Council's approval.

*Now, Therefore, Be It Resolved,*

1. That the City Council hereby approves the Proposal of the Mayor dated April 7, 2005 attached hereto (the "Proposal") which, among other things, requests the Authority and/or RIHEBC to use best efforts to finance the acquisition, construction, renovation, repair, replacement, improvement, furnishing and equipping of schools and school facilities in the City, including but not limited to, a new high school and an indoor sports

complex, including design and feasibility, engineering or other studies which may be necessary in connection therewith and any other acts necessary or incidental thereto (the "Projects"), and to issue bonds, notes, or other evidences of indebtedness (the "Obligations") in an amount not to exceed Forty-Two Million Dollars (\$42,000,000) to provide funding for the Projects.

2. That the City Council hereby authorizes the Mayor to negotiate and lease the Projects from the Authority and/or RIHEBC and to transfer such additional property to the Authority and/or RIHEBC as shall be necessary to secure the Obligations.

3. That the Mayor, the Director of Finance and the City Treasurer be, and they hereby are, authorized to take any and all action and to execute, file and deliver any and all agreements, notes, deeds, leases and other documents, and amendments thereto, as they, in their sole discretion, may deem necessary or desirable to implement the transaction contemplated by the Proposal.

4. That the City's Department of Public Property shall submit all estimates, bids, etc. regarding such construction, renovation, rehabilitation, improvement, furnishing, and equipping of the Projects to the Committee on Finance of the City Council as such estimates become available.

5. The City's Director of Finance is authorized to execute and deliver continuing disclosure certificates in connection with the Obligations issued by the Authority and or RIHEBC, in such form as shall be deemed advisable by the City's Director of Finance. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of each continuing disclosure

certificate, as it may be amended from time to time. Notwithstanding any other provision of this Resolution or the Obligations, failure of the City to comply with any continuing disclosure certificate shall not be considered an event of default; however, any bondholder or noteholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Resolution and under any continuing disclosure certificate.

6. This Resolution is an affirmative action of the City Council towards the issuance of the Authority's and/or RIHEBC's Obligations in accordance with the purposes of the laws of the State. This Resolution constitutes the City's declaration of official intent, pursuant to Treasury Regulation § 1.150-2, to reimburse its General Fund in an amount not to exceed Forty-Two Million Dollars (\$42,000,000) for certain capital expenditures for the Projects paid on or after the date which is sixty (60) days prior to the date of this Resolution but prior to the issuance of the Authority's and/or RIHEBC's Obligations, or otherwise as permitted by such regulation. Amounts to be reimbursed shall be reimbursed not later than eighteen months after (a) the date on which the expenditure is paid or (b) the date the Projects are placed in service or abandoned, but in no event more than three (3) years after the date the expenditure is paid.

7. With respect to the Project authorized herein, to the extent that the construction of such Project requires any amendment of the zoning ordinance or zoning map of the City,

the City Council hereby initiates the same and directs that the City Planning Commission at its earliest opportunity provide it with its findings and recommendations as provided for in Rhode Island General Laws Section 45-24-52, as amended, and that the City Clerk schedule a public hearing of the City Council with all reasonable dispatch, giving proper notice as prescribed in Rhode Island General Laws Section 45-24-53, for this City Council to act on the proposed amendment.

8. This Resolution shall take effect on passage.

**Read and Passed, on Motion of COUNCILMAN APONTE, seconded by COUNCIL WOMAN WILLIAMS, by the Following Roll Call Vote:**

**AYES: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, BUTLER, DELUCA, COUNCIL WOMAN DIRUZZO, COUNCILMEN IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCIL WOMAN ROMANO, COUNCILMAN SEGAL and COUNCILWOMAN WILLIAMS - 12.**

**NAYES: NONE.**

**ABSENT: COUNCILMEN ALLEN, HASSETT and COUNCILWOMAN YOUNG - 3.**

**The Motion for Passage is Sustained.**

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## COMMITTEE ON ORDINANCES

### COUNCILWOMAN RITA M. WILLIAMS, Chairwoman

Transmits the Following with the  
Recommendation the Same be  
Severally Adopted:

An Ordinance in Amendment of Chapter 2004-41, Ordinance Number 544, Entitled: "An Ordinance in Amendment of Chapter 27 of the Ordinances of the City of Providence Entitled: "The City of Providence Zoning Ordinance", Approved June 27, 1994, As Amended.

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An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence Entitled: "The City of Providence Zoning Ordinance" Approved June 27, 1994, As Amended.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Ordinances, the First Time, seconded by COUNCILWOMAN

WILLIAMS, by the Following Roll Call Vote:

AYES: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, BUTLER, DeLUCA, COUNCIL WOMAN DiRUZZO, COUNCILMEN IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMEN ROMANO and COUNCIL WOMAN WILLIAMS - 11.

NAYES: NONE.

ABSENT: COUNCILMEN ALLEN, HASSETT, SEGAL and COUNCILWOMAN YOUNG - 4.

The Motion for Passage of the Several Ordinances the First Time is Sustained.

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## COMMUNICATIONS AND REPORT

Communication from Barbara Maroney, Confidential Assistant to the Human Resources Director, Department of Human Resources, dated June 10, 2005, requesting

an additional extension of the Residency Requirement for Tamara Whaley.

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Communication from Leon C. Drezek, Executive Director, Providence External Review Authority, dated June 10, 2005, requesting an extension of the residency requirement.

**COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI Refers the Several Communications to the Committee on Finance.**

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Communication from Thomas E. Deller, AICP, Director, Department of Planning and Development, submitting, in accordance with Rhode Island General Law 45-31-19, submitting the Disclosure of Financial Interests form for Jim DeRentis, a member of the Providence Redevelopment Agency.

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Communication from Councilwoman Carol A. Romano, dated June 13, 2005, Informing the Honorable Members of the City Council, that she this is this day appointing Ms. Sylvia Pulliam, 24 DePinedo Street, Providence, RI 02904, to the

Providence External Review Authority (PERA).

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Communication from Councilman Joseph DeLuca, dated June 29, 2005, Informing the Honorable Members of the City Council that he is this day re-appointing Ms. Eva-Ann Geoppo, 859 Manton Avenue, Providence, RI 02909, to the Providence External Review Authority (PERA).

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Communication from Councilman Miguel C. Luna, dated June 29, 2005, Informing the Honorable Members of the City Council that he is this day re-appointing Mr. Kohei Ishihara, to the Providence External Review Authority (PERA).

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Communication from Joseph M. Fernandez, City Solicitor, dated June 23, 2005, submitting the Department of Law annual report pursuant to Home Rule Charter Section 1202 (e) and Section 2-98 of the Code of Ordinances.

**COUNCIL PRESIDENT LOMBARDI Receives the Several Communications.**

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## FROM THE CLERK'S DESK

Petition from Times<sup>2</sup>, Incorporated to rename Matthew Street to Times<sup>2</sup> Way.

**COUNCIL PRESIDENT LOMBARDI Refers the Petition to the Committee on Urban Redevelopment, Renewal and Planning.**

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Petition from Moses Afonso Jackvony, Ltd., 170 Westminster Street, Suite 201, Providence, RI 02903 on behalf of Carpionato Properties, Inc. requesting to abandon a portion of Harris Avenue.

**COUNCIL PRESIDENT LOMBARDI Refers the Petition to the Committee on Public Works.**

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**Petitions for Compensation for Injuries and Damages, viz:**

Antimo Mastrostefano  
(Edward A. Shapira, Esquire)

Rebecca Wagaman  
(Scott P. Tierney, Esquire)

Mark Nimiroski

Joan H. Woodson

Centrex Distributors

Marisol Rivera and Ismael Palmieri  
p.p.a. Lorimar Palmieri  
(Ronald J. Creamer, Esquire)

Natasha Valley and Natasha Valley  
p.p.a. Lanasia Thorton, Trazon Valley  
and Keondre Valley  
(Ronald J. Resmini, Esquire)

State of Rhode Island Department of  
Transportation  
(Charles D. Wick, Esquire)

Angelina S. Barros

Domenico Grieco

Raymond Cantone

Patricia Hillery

State of Rhode Island Department of  
Transportation  
(Charles D. Wick, Esquire)

Arnold Dougbe  
(Clare T. Jabour, Esquire)

One Beacon Insurance  
a/s/o Colletta's Downtown Auto Service

Victoria Ulrich and Allison Ulrich  
(David N. Bazar, Esquire)

Marie Green and Marie Green  
p.p.a. Gary Carroll, Jr.  
(Mark B. Morse, Esquire)

Martin A. Adams

Jamilka Ramos

Francisco A. Lora

Beverly P. Hall

Asterios Zisiades

**COUNCIL PRESIDENT LOMBARDI  
Refers the Several Petitions to the  
Committee on Claims and Pending  
Suits.**

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## PRESENTATION OF RESOLUTIONS

*"In Congratulations"*

**COUNCIL PRESIDENT LOMBARDI and  
the MEMBERS OF THE CITY COUNCIL:**

Resolution Extending Congratulations.

*Resolved*, That the Members of the City Council hereby Extend their Sincere Congratulations to the following:

Veronica N. Ford, in recognition of her retirement from the City of Providence after thirteen years of dedicated service.

Patricia Martinez, in recognition of her confirmation as Director of the Department of Children, Youth and Families.

Dianne Vespia Poullos, in recognition of the celebration of the happy occasion of her seventieth birthday, born July 3, 1935.

Salvatore A. Celeberto, in recognition of his promotion from Battalion Chief to Deputy Assistant Chief in the Providence Fire Department.

Michael J. Day, in recognition of his promotion from Battalion Chief to Deputy Assistant Chief in the Providence Fire Department.

**Severally Read and Collectively  
Passed, on Motion of COUNCILMAN  
APONTE, seconded by COUNCIL-  
WOMAN WILLIAMS.**

**The Motion for Passage is Sustained.**

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## PRESENTATION OF RESOLUTIONS

### "In Memoriam"

**COUNCIL PRESIDENT LOMBARDI and  
the MEMBERS OF THE CITY  
COUNCIL:**

Resolution Extending Sympathy.

*Resolved*, That the Members of the City Council hereby extend their sincere sympathy to the families of the following.

Barbara M. Parrillo

Frederick A. Bucci

Vincent C. "Chuck" Knox

Frank J. Dziekiewicz

Elaine T. Arnold

Jennie Jake B. Vecchio

Harold "Earl" Gaynor

Reynolds Sands "Puddin" Hull, Sr.

Eleanor "Helen" DelSignore

Stephen M. Maroney

Phyllis Theresa Zannini

Margaret M. "Peggy" Kurda

William P. Connor

Genesis Landero

Josephine L. D'Amario

Edith R. Lambert

Jamont Richardson

G. Thomas Giraud, Jr.

Lt. William "Bill" J. Schlageter, PPD Retired

William J. Murray

2<sup>nd</sup> Lt. Matthew S. Coutu, U.S. Army

Benito J. "Ben" Andreoli

Robert S. "Bobby" Engle

Cresenzo "Christy" Covellone

Thomas J. Jacquard, Sr.

Mary A. Marsocci

**Severally Read and Collectively  
Passed, by a Unanimous Rising Vote, on  
Motion of COUNCILMAN APONTE,  
seconded by COUNCILWOMAN  
WILLIAMS.**

**The Motion for Passage is Sustained.**

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## **MATTERS NOT APPEARING ON THE PRINTED DOCKET**

**On Motion of COUNCILMAN APONTE,  
seconded by COUNCILWOMAN WILLIAMS,  
it is voted to Suspend Rule 16-B of the  
City Council Rules in order to allow the  
introduction of the Following Matters  
Not Appearing on the Printed Docket.**

## **PRESENTATION OF ORDINANCE**

**COUNCILMAN LUNA:**

An Ordinance Adding Sections to Chapter  
12 of the Code of Ordinances Entitled:  
"Health and Sanitation."

**COUNCIL PRESIDENT LOMBARDI  
Refers the Ordinance to the Committee  
On Ordinances.**

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## **PRESENTATION OF RESOLUTION**

**COUNCILWOMAN YOUNG (By Request):**

Resolution Requesting that Burgess Street be  
re-named to "Thomas P. Whitten Way."

**COUNCIL PRESIDENT LOMBARDI  
Refers the Resolution to the Committee  
On Urban Redevelopment, Renewal and  
Planning.**

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## ADJOURNMENT

There be no further business, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 8:50 o'clock P.M. (E.D.T.), to meet again on THURSDAY, AUGUST 4, 2005 at 7:30 o'clock P.M. (E.D.T)

*Claire E. Bestwick*

CLAIRE E. BESTWICK  
ACTING CITY CLERK





CITY OF PROVIDENCE  
RHODE ISLAND



CITY COUNCIL  
JOURNAL OF PROCEEDINGS

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No. 23 City Council Regular Meeting, Thursday, September 21, 2006, 7:30 o'clock P.M. (E.D.T.)

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PRESIDING  
COUNCIL PRESIDENT  
JOHN J. LOMBARDI

ROLL CALL

Present: COUNCIL PRESIDENT  
LOMBARDI, COUNCILMEN APONTE,  
BUTLER, DeLUCA, COUNCILWOMAN  
DiRUZZO, COUNCILMEN HASSETT,  
JACKSON, LUNA, MANCINI, COUNCIL-  
WOMAN ROMANO, COUNCILMAN  
SEGAL, COUNCILWOMEN WILLIAMS  
and YOUNG - 13.

Absent: COUNCILMEN ALLEN and  
IGLIOZZI - 2.

(SUBSEQUENTLY COUNCILMAN  
IGLIOZZI JOINS THE MEETING)

Also Present: Anna M. Stetson, City  
Clerk, Claire E. Bestwick, First Deputy  
City Clerk, Sheri A. Petronio, Assistant  
Clerk, Adrienne G. Southgate, Deputy  
City Solicitor and Vincent J. Berarducci,  
City Sergeant.

JAN 11 2007  
IN CITY COUNCIL  
*Anna M. Stetson*  
READ  
WHEREUPON IT IS ORDERED THAT  
THE SAME BE APPROVED.

## INVOCATION

The Invocation will is given by COUNCIL-  
WOMAN JOSEPHINE DiRUZZO.

## PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

COUNCILMAN PATRICK K. BUTLER  
Leads the Members of the City Council  
and Assemblage in the Pledge of  
Allegiance to the Flag of the United  
States of America.

## APPOINTMENT BY HIS HONOR THE MAYOR

Communication dated September 13, 2006,  
Informing the Honorable Members of the City  
Council that pursuant to Sections 302(b) and  
1103 of the Providence Home Rule Charter of  
1980, as amended, he is this day re-appointing  
Bishop Robert Farrow of 20 Legion Memorial  
Drive, Providence, Rhode Island 02909, as a  
member of the Human Relations Commission

for a term to expire in January 2009, and  
respectfully submit the same for your approval.

COUNCIL PRESIDENT LOMBARDI  
Refers the Communication to the  
Committee on Finance.

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## ORDINANCE SECOND READING

**The Following Ordinance was in City Council September 7, 2006, Read and Passed the First Time and is Returned for Passage the Second Time:**

An Ordinance Establishing and Granting a Tax Stabilization Plan for 60 Valley Street, LLC, with respect to Assessor's Plat 35, Lot 572 of the City of Providence.

*Be it ordained by the City of Providence:*

*Whereas*, the City Council of the City of Providence, pursuant to Sections 44-3-9 and 44-3-31.2 of the Rhode Island General Laws, as amended, and Sections 21-160 through 21-170.1 of the Code of Ordinances of the City of Providence, has the authority to exempt real and personal property used for manufacturing, retail, commercial, and/or residential purposes from the payment of property taxes, or to stabilize said taxes, if the granting of the exemption or stabilization plan inures to the benefit of the City of Providence by reason of physical improvements within the City of Providence which will result in a long-term economic benefit, and/or by reason of the willingness of a commercial enterprise to construct new buildings or to replace, reconstruct, convert, expand, retain or remodel existing buildings; and

*Whereas*, the City Council of the City of Providence, pursuant to R.I. Gen. Laws Sec. 44-3-32.2 has the authority to exempt and/or stabilize said taxes for a term not exceeding assessments made on and/or after December 31, 2010; and

*Whereas*, 60 Valley Street, LLC, a Rhode Island limited liability company (defined below as the "Project Owner") has made application for tax stabilization under said Rhode Island General Law 44-3-31.2 and applicable ordinance of the City of Providence (Ordinance 21-170.1, "Landmark Mill Buildings," so-called), as set forth in Exhibit A attached hereto and incorporated by reference, and has satisfied each condition of same; and

*Whereas*, there is under utilized property located at 60 Valley Street, more specifically described as Assessor's Plat 35, Lot 572 (being formerly a portion of Lot 570 of Plat 35), which is found on the Landmark Mills Buildings List, so-called; and

*Whereas*, the Project Owner has evidenced a willingness to renovate the existing structure creating below market retail, commercial and residential space throughout the Project, including 2,000 square feet of rent free space for three (3) years to be used by the Nickerson Community Center to be used to expand their variety of programming, serving children and families of the Providence Community. Specifically, the Nickerson Community Center will provide a minimum of 1,000 square feet to its preexisting tenant TruSkool Studios which will utilize the space to continue and expand its "after-school arts organization", and,

*Whereas*, the Project Owner has certified that it has commenced or will commence renovation prior to December 31, 2005 and that the renovations are valued at greater

than fifty percent (50%) of replacement value so as to be eligible for tax stabilization under City of Providence Ordinance 21-170.1; and,

*Whereas*, the Project will result in an increase in the tax base of the City of Providence, an increase in expenditures by residents in the City of Providence and will increase employment opportunities in the City of Providence; and

*Whereas*, the City Council of the City of Providence has determined it is in the best interests of the residents of the City of Providence to grant such tax stabilization to induce the development of Landmark Mill Buildings, generally, and this Project, specifically, and such tax stabilization will inure to the long-term benefit of the City of Providence,

*Now, therefore, be it resolved,*

Section 1. That the findings set forth in the preceding recitals are hereby made and confirmed.

Section 2. Definitions. The following terms shall have the meanings set forth herein:

- (a) "Commencement Date" shall be upon passage of this ordinance.
- (b) "Personal Property" means any and all tangible personal property, including, but not limited to, all fixtures, equipment, furnishings, and other personal property, now or hereafter located at the Project Site (as hereinafter defined).
- (c) "Project" means the Project Site (as hereinafter defined), the Real Property Improvements (as hereinafter defined), and Personal Property.
- (d) "Project Owner" means 60 Valley Street, LLC. which holds legal title to the Real Property Improvements (as hereinafter defined) or Personal Property, or any successor permitted hereunder.
- (e) "Project Site" means the land, as well as improvements found thereon, designated Assessor's Plat 35, Lot 572 (formerly a portion of Lot 570), located at 60 Valley Street Street, Providence, Rhode Island, more particularly described in the application made by Project Owner to the City Council of the City of Providence for consideration for tax stabilization as attached hereto and incorporated herein by reference as Exhibit A, which property is found on the Landmark Buildings List.
- (f) "Project Taxable Properties" means, collectively, the Project Site, as proposed, the Real Property Improvements (as hereinafter defined), and the Personal Property, together constituting the Project.
- (g) "Real Property Improvements" means all structures, buildings, renovations and improvements currently proposed to be located at the Project Site as identified in Exhibit A as attached hereto; provided, that it is understood that any material additional improvements, excluding customary repairs and renovations, shall require an amendment to this tax stabilization ordinance.

- (h) "Stabilized Assessment" means: the Project Site together with any and all existing infrastructure improvements thereon shall be the City of Providence tax assessment value as of December 31, 2000 applied to each assessment date commencing December 31, 2005 and continuing through and including December 31, 2010, as shown on Exhibit B attached hereto and incorporated by reference.
- (i) "Stabilized Tax Payments" means, with respect to the Project Taxable Properties, the amounts listed on the schedule attached hereto as Exhibit B as prepared by the tax assessor of the City of Providence and incorporated herein by reference.
- (j) "Termination Date" means June 30<sup>th</sup> of the year in which Stabilized Tax Payments based on the December 31, 2010 assessment date are to be paid in full.

Section 3. Tax Stabilization. That the City of Providence grants to the Project Owner for the Project Site for the purposes set forth in Project Owner's application attached hereto as Exhibit A the Stabilized Assessment in accordance with Exhibit B as attached for the period commencing with the December 31, 2005 assessment date through the assessment date shown on Exhibit B attached hereto.

Section 4. Term. The term of the tax stabilization shall be for a period commencing on the Commencement Date and terminating on the Termination Date, all as more particularly described on Exhibit B,

as attached hereto, unless earlier terminated as provided herein.

Section 5. Stabilized Tax Payments. As long as Project Owner, or any permitted transferee, owns or operates the Project Site, it will continue to make the Stabilized Tax Payment(s) as set forth in Exhibit B as attached hereto, during the term of this tax stabilization plan. Project Owner, and any transferee permitted hereunder, agrees that the Project Site will be subject to taxation, without regard to any tax stabilization, as of the Termination Date and thereafter. Project Owner also agrees not to transfer the Project Site, or any portion thereof, to any tax-exempt entity which does not waive in writing its exemption and right to assert any exemption from any real property taxes assessed by the City of Providence ("Waiver") or to allow any transfer by any subsequent transferee to any tax-exempt entity which does not also provide such Waiver during the term of this plan to stabilize taxes. Project Owner is required as a condition precedent to this tax treaty to record notice in the Land Evidence Records of the City of Providence of the requirement that the subject property covered by this ordinance be transferred only to a tax-paying entity or to a tax exempt entity which provides such Waiver as long as this agreement is in effect. In the event that the subject property covered by this ordinance is transferred to a tax-exempt entity without such Waiver, despite the prohibition against such transfer, whether by Project Owner, or any subsequent transferee of such property, Project Owner, will be responsible to make payments in lieu of taxes to the City of Providence equal to the amount of taxes as set forth in Exhibit B, as attached hereto, which would have been paid to the City of Providence if such prohibition against transfer to a tax-exempt entity without a

Waiver had not been violated. In the event that Project Owner shall divide the Project Site or any portion thereof into retail, commercial and/or residential condominiums and/or cooperative, such said retail and/or commercial and/or residential condominiums and/or cooperative so converted and sold as a condominium and cooperative unit shall, upon recording of the deed for transfer of such unit by the Project Owner to a third party purchaser, no longer be covered under this ordinance and shall be subject to taxation without regard to any tax stabilization plan (the remaining portion of the Project shall be prorated accordingly and the tax stabilization payments scheduled hereunder will thereby be reduced accordingly), provided that Project Owner provides written notice of any such sale to the tax assessor of the City of Providence indicating the name(s) of the purchaser, the date of purchase and the purchase price of the unit sold, otherwise said unit shall remain as part of the tax payments due from Project owner.

Section 6. Payment of Taxes. The following shall pertain to the payment of taxes set forth herein:

- (a) The Project Owner shall make Stabilized Tax Payments to the City of Providence as prescribed in the attached schedule set forth in Exhibit B to the City of Providence, in lieu of all other real property and personal property taxes and assessments of every kind and nature which would now or hereafter otherwise be levied upon the Project and the City of Providence agrees to accept the Stabilized Tax Payments in lieu of

such real property and personal property taxes on the Project.

- (b) Stabilized Tax Payments due the City of Providence, pursuant to the terms of this agreement, may be made in either a lump sum during the first quarter of the applicable tax year or in equal quarterly installments. If quarterly payments are to be made, they shall be due on the same dates that quarterly taxes are due for all other taxpayers in the City of Providence and similarly subject to interest and late fee penalties if not timely made.
- (c) It is understood by the parties that Stabilized Tax Payments made hereunder are tax payments; and, the Project Owner shall be entitled to all the rights, privileges and obligations of a taxpayer in the City of Providence.
- (d) The liability for the Stabilized Tax Payments due and owing under this agreement shall constitute an obligation of the Project Owner, and the City of Providence shall be granted by the Project Owner a lien on the Project Taxable Properties, which lien shall be of the same priority and entitle the City of Providence to the same foreclosure remedy as the lien and foreclosure remedy provided under applicable laws and ordinances with respect to real and personal property taxes, not subject to a tax treaty or this agreement.

Section 7. Satisfaction of Obligations. The City of Providence agrees that so long as

the Stabilized Tax Payments are made by the Project Owner in accordance with the terms of this ordinance, the City of Providence shall, during the term of this agreement, accept said payments in full satisfaction of the obligations of the Project Owner as to the payment of any and all taxes and property assessments to the City of Providence which would otherwise be levied upon or with respect to the Project Taxable Properties, including future customary repairs and customary renovations of the Real Property Improvements and the Personal Property which may now exist or which may hereafter be placed or erected thereon or located thereat or used therein, but excluding material renovations or improvements beyond that contemplated in the Project.

**Section 8. Minority and Local Contractors/Vendors.** It shall be the goal and the Project Owner shall use its best efforts to hire contractors and subcontractors and to purchase construction materials from entities which/who are situated in and/or are residents of the City of Providence. Further, the Project Owner shall use its best efforts to award 20% of the total dollar value of construction to Minority Business Enterprises ("MBEs") and Women Business Enterprises ("WBEs"), as defined and pursuant to Section 21-52 of the Code of City Ordinances, City of Providence, as certified by state agency or the Director of the Department of Planning and Development, City of Providence. The total fee and non-biddable "General Conditions" of the prime contractor will be deducted from the calculation. The Project Owner will use its best efforts to work with the prime contractor to reduce the size of bid packages where possible so as to maximize accessibility of contract work to small contractors from the community.

**Section 9. Employment.** Project Owner shall comply in all respects with the "First Source Ordinance," so-called. Any failure to abide with the terms of the First Source Ordinance shall result in this ordinance being declared null and void, *ab initio*; and, all taxes that would be been imposed on the Project will be immediately paid to the City of Providence as if this ordinance was never passed. Further, Project Owner will include in all subcontracts an affirmative action and community hiring program in which the employer commits to notify Project Owner of any job openings at the Project Site and to a willingness to interview candidates identified through said program. Project Owner has set a target minimum of ten (10%) percent over the course of the Project construction period. In addition, Project Owner agrees to provide training and/or apprenticeships for City of Providence residents hired on the Project. Such training and/or apprenticeship program shall be submitted in writing to the Director of the Department of Planning and Development, City of Providence, for his or her written approval, as a condition precedent to any tax stabilization as envisioned under this ordinance, which may include an apprenticeship created under Section 28-45-1, et seq., of the General Laws of Rhode Island, as amended.

**Section 10. Purpose.** The City of Providence has entered into this tax stabilization to provide retail, commercial and residential spaces/units in the City of Providence and to increase its tax base as a result of such construction. This plan shall be in effect during its term as long as the property is utilized primarily for the Project, including the use of approximately 2,000 square feet of rent free space for three (3) years to be used by the Nickerson Community Center to be used to expand their

variety of programming, serving children and families of the Providence Community; of which, 1,000 square feet will be utilized for TruSkool Studios for its "after-school arts organization," and failure to use the Project Site primarily for such purposes renders the treaty null and void. This ordinance does not extend to any building or buildings used as a "dormitory" or an "apartment dormitory." The use of any building or portion of a building for "dormitory" or "apartment dormitory" purposes would render the treaty null and void. The treaty being rendered null and void for any reason would require the Project Owner to pay all taxes and fees as due and owing as if no treaty had been entered, *ab initio*.

Section 11. Basis of Calculation for Tax Payment(s). The schedule listed in Exhibit B, as attached hereto, is based, in part, upon information provided to the tax assessor of the City of Providence by Project Owner including, but not limited to, estimated construction costs. In the event that any of this information is inaccurate or proves to be materially erroneous, this treaty shall be modified to reflect the accurate information. This tax treaty is conditioned upon commencement of construction by December 31, 2005 as certified to by the project Owner. Failure to have begun construction by December 31, 2005 as certified renders the treaty null and void and shall subject the Project Owner liable for the real estate and tangibles that would have been assessed against such property as if no treaty had been entered, all in accordance with Section 170 of the Code of Ordinances of the City of Providence.

Section 12. Back Taxes. This treaty is conditioned upon Project Owner at all times owing no back taxes to the City of Providence

and remaining current on all payments due under this tax stabilization plan. Failure to make timely payments may render this treaty null and void, *ab initio*.

Section 13. Assignment. Notwithstanding any thing to the contrary contained herein, this tax treaty is not assignable by Project owner without the express written consent of the Director of the Department of Planning and Development, City of Providence, which consent will not be unreasonably withheld.

Section 14. Notices. All notices, certificates, requests, demands, consents, approvals, and other communications which may or are required to be served or given hereunder (for the purposes of this section, collectively called "Notices") shall be in writing and shall be sent by registered or certified mail, postage pre-paid, return receipt requested and received overnight delivery by a recognized public or private carrier, or by facsimile, in either case as evidenced by a receipt or other evidence of delivery showing the date, time and, for facsimile, telephone number or receipt and addressed to the party to receive such Notice as identified below:

If to: City of Providence  
City Hall  
25 Dorrance Street  
Providence, RI 02903  
Attn: Mayor, City of Providence

Copies to: City Solicitor  
City of Providence  
275 Westminster Street, 2<sup>nd</sup> Fl.  
Providence, RI 02903

Director, Department of  
Planning and Development  
400 Westminster Street  
Providence, RI 02903

If to: 60 Valley Street, LLC  
1040 Hull Street, Ste 200  
Baltimore, MD 21230

**Section 15. Penalties and Petition for Relief.** In the event that Project Owner does not comply in all material respects with any and/or all of the material provisions of this ordinance, the Director of the Department of Planning and Development, City of Providence, or the City Council of the City of Providence by resolution, may provide written notice, mailed, postage-prepaid, to Project Owner at its/his/her last known address, setting forth the nature of the non-compliance and the date upon which the tax stabilization agreement shall be rendered null and void because of the non-compliance, unless said non-compliance is cured prior to said date ("Early Termination Date"). The full tax which would otherwise have been due and payable, if there had been no tax agreement, plus interest and penalties as provided by law ("Full Tax"), will become immediately due and payable on the Early Termination Date, with the calculation thereof being contained in the notice. However, the Early Termination Date shall be at least one hundred and twenty (120) days from the mailing of written notice. Project Owner may petition the City Council of the City of Providence, for a hearing with respect to the issue of non-compliance. The hearing shall be held within sixty (60) days of the receipt of the petition by the City Clerk, City of Providence. At the hearing Project Owner shall have an opportunity to present evidence of compliance and/or request relief. In the event that the City Council of the City of Providence, does not act after a hearing of Project Owner prior to the Early Termination Date, the determination of the Director, Department of Planning and Development, City of Providence, shall be

conclusive and Project Owner shall immediately make payment of the Full Tax to the City of Providence.

**Section 16. Expiration Dates.** That in accordance with the laws of the State of Rhode Island and the Code of Ordinances of the City of Providence, the City Council of the City of Providence hereby approves the Project Owner's application for tax stabilization as set forth as Exhibit A and authorizes said tax stabilization as provided in this ordinance in accordance with it and with the schedule of payments set forth in Exhibit B.

**Section 17. Applicable Law.** This agreement shall be construed under the laws of the State of Rhode Island.

**Section 18. Effective Date.** This ordinance shall take effect upon its passage.

60 Valley Street, LLC  
Tax Stabilization Application for "The Plant", 60 Valley Street

CITY OF PROVIDENCE, RHODE ISLAND	
APPLICATION REQUESTING	
TAX STABILIZATION FOR COMMERCIAL / INDUSTRIAL & RESIDENTIAL PROPERTIES	
ACCORDING TO	
CHAPTER 31 OF THE CODE ORDINANCES AS AMENDED	
PAY OF NON-REFUNDABLE APPLICATION FEE MUST ACCOMPANY APPLICATION ACCORDING TO THE FOLLOWING SCHEDULE:	
\$1500 FOR PERMIT UP TO . . . \$10,000 (COMM/IND) \$1100 FOR PERMIT FROM \$101 - \$75,000 \$7000 FOR PERMIT OVER . . . \$75,000 \$200.00 FOR COMPUTER/TELEPHONE 0.01% OF EST. CONSTRUCTION COSTS (RESIDENTIAL)	
DATE June 27, 2005	
1. NAME & ADDRESS OF APPLICANT (IF CORPORATION/PARTNERSHIP, GIVE NAME & TITLE OF CEO/FILED APPLICATION)	60 Valley Street, LLC c/o SDBR 1040 Hull St., Suite 200 Baltimore, MD 21230
2. IF APPLICANT IS LEASEE, GIVE NAME AND ADDRESS OF OWNER AND SPECIFIC TERMS OF LEASE	Carl W. Schreyer, CEO
3. LOCATION OF PROPERTY	60 Valley Street, 02909
4. ASSESSOR'S PLAT AND LOT	AP 35 Lot 572
5. DATE & PURCHASE PRICE OF EXISTING PROPERTY	March 7, 2005. \$785,000
6. COST & PROJECTED DATE OF ADDITIONAL PROPERTY TO BE PURCHASED FOR THIS EXPANSION PROJECT	None

60 Valley Street, LLC  
Tax Stabilization Application for "The Plant", 60 Valley Street

7. ESTIMATED COST OF EXPANSION/RENOVATION. (ATTACH EVIDENCE SUPPORTING SUCH FIGURE: COPY OF BIDS, CONSTRUCTION CONTRACT, ARCHITECT'S CERTIFICATION, GIVE DETAILS AS TO SCOPE OF PROJECT TO BE UNDERTAKEN—# OF STORIES, TYPE OF CONSTRUCTION, TOTAL SQ. FT. ETC.) Please see attached sheet
8. DESCRIBE EXISTING FACILITY:  
# OF STORIES \_\_\_\_\_  
# OF SQ. FT./FLOOR \_\_\_\_\_  
AGE OF BUILDING(S) \_\_\_\_\_  
TYPE OF CONSTRUCTION \_\_\_\_\_  
INTERIOR CONDITION \_\_\_\_\_  
EXTERIOR CONDITION \_\_\_\_\_
9. APPLICATION IS MADE UNDER THE PROVISION OF THE ORDINANCE FOR THE FOLLOWING REASON(S) (CHECK ONE OR MORE)  
☒ a. terms in City of Providence  
☒ b. replace existing of premises  
☒ c. expand building  
☒ d. remodel facility  
☒ e. construct new building (i)  
☒ f. expansion/renovations  
☒ g. other tax stabilization for owners of landmark properties on designated line in need of substantial rehabilitation
10. WILL PROPOSED CONSTRUCTION/ALTERATION INCREASE THE EMPLOYMENT AT YOUR COMPANY? YES ☒ NO ☐  
 IF YES, GIVE ESTIMATE AS TO NEW POSITIONS TO BE CREATED AND JUSTIFICATION FOR SAME \_\_\_\_\_
11. WILL THE PROPOSED ALTERATION/CONSTRUCTION CAUSE ANY OTHER FACILITY TO CLOSE? YES ☐ NO ☒
12. WILL CONSTRUCTION/ALTERATION REQUIRE PURCHASE OF ADDITIONAL FURNITURE/FIXTURES/EQUIPMENT? YES ☒ NO ☐  
 IF YES, GIVE DETAILS AS TO NUMBER AND TYPE TO BE PURCHASED \_\_\_\_\_

13. CONSTRUCTION SHALL BEGIN ANTICIPATED THAT CONSTRUCTION SHALL BE COMPLETED August, 2005 May, 2006
14. ARE ALTERATION/CONSTRUCTION PLANS PERMITTED UNDER THE PRESENT ZONING? YES ☒ NO ☐  
 IF NO, PLEASE ADVISE AS TO WHETHER APPLICATION HAS BEEN OR WILL BE FILED WITH ZONING BOARD OF REVIEW. \_\_\_\_\_  
 HAS HEARING BEEN SCHEDULED? \_\_\_\_\_

IT IS THE UNDERSTANDING OF THE APPLICANT(S) THAT THE EXEMPTION, IF APPROVED, IS APPLICABLE ONLY TO COMMERCIAL/INDUSTRIAL CONCERNS WHO WISH TO LOCATE IN THE CITY, OR WHO WISH TO REPLACE, RECONSTRUCT, EXPAND OR REMODEL EXISTING FACILITIES; THAT WITHOUT THE APPROVAL OF THE BUILDING INSPECTOR; THAT ALL CURRENT AND PAST TAXES DUE BY THE APPLICANT(S) MUST BE PAID IN FULL; THAT THE EXEMPTION WOULD BE ATTRIBUTABLE ONLY TO THAT PORTION OF THE ASSESSMENT ATTRIBUTABLE TO THIS CONSTRUCTION/RENOVATION; THAT THE EXEMPTION MAY BE REVOKED IN THE EVENT OF FRAUD OR MISREPRESENTATION BY THE APPLICANT(S).

SIGNATURE OF APPLICANT  


SBE, Inc.  
 1000 Hall B, Suite 200, Baltimore, MD 21220  
 ADDRESS

DATE 6/27/05

DATE 6/27/05

RECEIVED BY CITY ASSESSOR PROVIDENCE RHODE ISLAND \_\_\_\_\_ DATE \_\_\_\_\_

60 Valley Street, LLC  
Tax Stabilization Application for "The Plant", 60 Valley Street

- APPLICATION FEE FORWARDED TO COLLECTOR \_\_\_\_\_ AMOUNT \_\_\_\_\_
- REVIEWED BY ASSESSOR WITH THE FOLLOWING RECOMMENDATIONS \_\_\_\_\_
- SIGNATURE/DATE/ASSESSOR \_\_\_\_\_
- RECEIVED BY CITY COLLECTOR \_\_\_\_\_
- APPLICANT OWES FOLLOWING TAXES YEAR \_\_\_\_\_ AMOUNT \_\_\_\_\_
- TAXES ARE PAID IN FULL \_\_\_\_\_
- ARRANGEMENTS HAVE BEEN MADE YES \_\_\_\_\_ NO \_\_\_\_\_
- SIGNATURE/DATE/COLLECTOR \_\_\_\_\_
- RECEIVED BY BUILDING INSPECTOR DATE \_\_\_\_\_
- PLANS AS REVIEWED MEET ALL CURRENT CODES/STATUTES OF CITY YES \_\_\_\_\_ NO \_\_\_\_\_
- NO VIOLATIONS EXIST ON THIS OR OTHER PROPERTIES OWNED BY APPLICANT YES \_\_\_\_\_ NO \_\_\_\_\_
- \* VIOLATIONS EXIST AS FOLLOWS \_\_\_\_\_
- VIOLATIONS HAVE BEEN DISCUSSED WITH APPLICANT(S) ARRANGEMENTS HAVE BEEN MADE TO CORRECT SAME YES \_\_\_\_\_ NO \_\_\_\_\_
- SIGNATURE/DATE/BUILDING INSPECTOR \_\_\_\_\_
- REVIEW BY THE ASSESSOR OF THE APPLICATION FOR TAX STABILIZATION FOR COMMERCIAL/INDUSTRIAL & RESIDENTIAL PROPERTY

60 Valley Street, LLC  
Tax Stabilization Application for "The Plant", 60 Valley Street

1. Name & Address of Applicant \_\_\_\_\_
2. Location of Property \_\_\_\_\_
3. Use Plan/Use(s) \_\_\_\_\_
4. Fee Paid Yes \_\_\_\_\_ No \_\_\_\_\_
5. Application Reviewed by Building Inspector & Approved (No Violations) Yes \_\_\_\_\_ No \_\_\_\_\_
6. Application reviewed by Collector Yes \_\_\_\_\_ No \_\_\_\_\_ with an accompanying letter
7. Application is eligible for program on the basis of the following (check one)  
 a. \_\_\_\_\_ Cause a commercial/industrial concern to locate in the city;  
 b. \_\_\_\_\_ Cause a commercial/industrial concern to replace, expand, reconstruct, or remodel existing building thereby increase tax base  
 c. \_\_\_\_\_ Cause a commercial/industrial concern to construct new buildings/facilities and thereby increase employment
8. Property is eligible for stabilization program in that it meets the criteria as commercial/industrial property Yes \_\_\_\_\_ No \_\_\_\_\_
9. Application has been filed with Assessor prior to obtaining building permit Yes \_\_\_\_\_ No \_\_\_\_\_
10. Improvements to be undertaken \_\_\_\_\_
11. Assessor that the project is approved for stabilization exemption program Yes \_\_\_\_\_ No \_\_\_\_\_

RECAPITULATION OF EXEMPTION BREAKDOWN

Assessment due prior to Stabilization \_\_\_\_\_

60 Valley Street, LLC  
Tax Stabilization Application for "The Plant", 60 Valley Street

7. Estimated hard construction cost of renovation is \$7.8 million. Please see sheet on next page for schedule of construction values.

Scope of rehabilitation: The property at 60 Valley Street is part of the historic Providence Dyeing, Bleaching and Calendaring (PDB & C) mill, which is comprised of several interconnected buildings dating from the 1790s to the early 20<sup>th</sup> century. Currently, the buildings are vacant. The entire building will be renovated into approximately 86,340 GSF of commercial, residential and live-work space. The break down of space is as follows:

Commercial: 26,566 NSF of ground-floor space  
Residential: 11,040 NSF (15 units)  
Live/work: 30,474 NSF (14 units)

The scope of work will include complete rehabilitation of the property and site, including new roofing system; new thermal windows; and new mechanical, electrical and plumbing systems. Site scope will include the removal of underground storage tanks and the remediation of soil and groundwater contaminants under the State of Rhode Island Brownfields program.

60 Valley Street, LLC  
Tax Stabilization Application for "The Plant", 60 Valley Street

CONSTRUCTION SHEET  
All Documents (OVER, APPLICATION AND CERTIFICATION FOR PAYMENT), containing  
Contractor's signed certification is attached.  
In substance below, amounts are stated to the nearest dollar.  
Use Column 1 and Column 2 when schedule savings for this item may apply.

APPLICATION NO.  
APPLICATION DATE:  
PERIOD TO:  
ARCHITECT'S PROJECT NO.

ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	PREVIOUS APPLICATION	TRAIL PURCHASE	STORAGE MATERIALS	TOTAL COMPLETION	%	BALANCE TO BE PAID
1	General Requirements	\$20,000.00	0.00	0.00	0.00	0.00	0%	\$20,000.00
2	Excavation	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
3	Foundation	1,000.00	0.00	0.00	0.00	0.00	0%	1,000.00
4	Concrete	30,700.00	0.00	0.00	0.00	0.00	0%	30,700.00
5	Brick masonry	35,000.00	0.00	0.00	0.00	0.00	0%	35,000.00
6	Roofing and floor underlayment	50,000.00	0.00	0.00	0.00	0.00	0%	50,000.00
7	Roofing materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
8	Roofing labor	20,000.00	0.00	0.00	0.00	0.00	0%	20,000.00
9	Interior masonry	20,000.00	0.00	0.00	0.00	0.00	0%	20,000.00
10	Interior masonry labor	20,000.00	0.00	0.00	0.00	0.00	0%	20,000.00
11	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
12	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
13	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
14	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
15	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
16	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
17	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
18	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
19	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
20	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
21	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
22	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
23	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
24	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
25	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
26	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
27	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
28	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
29	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
30	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
31	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
32	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
33	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
34	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
35	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
36	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
37	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
38	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
39	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
40	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
41	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
42	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
43	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
44	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
45	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
46	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
47	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
48	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
49	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
50	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
51	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
52	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
53	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
54	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
55	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
56	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
57	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
58	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
59	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
60	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
61	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
62	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
63	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
64	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
65	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
66	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
67	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
68	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
69	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
70	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
71	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
72	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
73	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
74	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
75	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
76	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
77	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
78	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
79	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
80	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
81	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
82	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
83	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
84	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
85	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
86	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
87	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
88	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
89	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
90	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
91	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
92	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
93	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
94	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
95	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
96	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
97	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
98	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
99	Interior masonry materials	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
100	Interior masonry labor	10,000.00	0.00	0.00	0.00	0.00	0%	10,000.00
TOTAL		7,796,437.00	0.00	0.00	0.00	0.00	0%	7,796,437.00

60 Valley Street, LLC  
Tax Stabilization Application for "The Plant", 60 Valley Street

8. Description of the existing facility

The property at 60 Valley Street is comprised of nine interconnected buildings, as shown below.

Bldg. No.	Stories	SP/4000	Age (year built)	Type of construction	Interior Condition	Exterior Condition
1	1	4,195	1775	Rubble stone masonry	Poor	n/a
2	3	2,850	1843	Rubble stone masonry	Poor	Poor
3	3	4,242	1849	Rubble stone masonry, brick	Poor	Poor
4	2	3,190	1875	Rubble stone masonry, brick	Poor	Poor
5	2	5,633	1885	Brick	Poor	Poor
6	1	9,880	1887	Brick	Poor	Poor
8	4	2,408	1898	Brick	Poor	Poor
12	1	2,400	1908	Brick	Poor	Poor
13	2	14,060	1908	Brick	Poor	Poor

10. Jobs at the building once rehabilitation is complete

Construction (temporary): 90 person years  
Management and maintenance: 3 jobs  
Commercial tenants: 60

12. Purchase of additional furniture/fixtures/equipment

We will purchase the following furniture as part of the base building cost of construction:

- 14 refrigerators (GE or Maytag)
- 14 stoves (electric - GE or Maytag)
- 3 stackable washer/dryer units (GE or Maytag)

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- management office supplies, including computer, copier/fax, desk, chairs, filing cabinet

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#### 60 VALLEY STREET TAX STABILIZATION VALUE

##### General

This project is estimated to bring in an estimated \$1.1MM in annual tax revenues, while requesting a Tax Stabilization benefit of \$284,345. A summary table of estimated annual tax revenue derived from the property is below:

#### THE PLANT, 60 VALLEY STREET TAX STABILIZATION SUMMARY

	City	State	TOTAL
Personal Property	\$30,155	\$0	\$30,155
Motor Vehicle	\$28,238	\$0	\$28,238
Retail Sales	\$0	\$262,112	\$262,112
Business Corporation	\$0	\$337,001	\$337,001
Employment Tax	\$0	\$231,562	\$231,562
Personal Income Tax	\$0	\$244,038	\$244,038
<b>TOTAL</b>	<b>\$58,393</b>	<b>\$1,074,713</b>	<b>\$1,133,106</b>
60 Valley Taxes at redeveloped value			\$278,980
Less: Taxes paid at Stabilized Value			\$30,155
Value of Tax Stabilization			\$248,825
<b>TOTAL TAX REVENUE</b>			<b>\$1,133,106</b>
Less: Tax Stabilization Benefit			\$248,825
<b>TOTAL NEW TAXES REALIZED FROM PROJECT</b>			<b>\$884,281</b>

The above calculation is an estimated amount of taxes generated through the development of these historic mill buildings. This does not account for additional taxes that will be generated through activities such as:

- Business taxes assessed on the revenues earned by the live/work residents;
- Additional taxes realized through the increased property values of properties in the local vicinity.

Below are the notes and assumptions used in justifying the tax stabilization calculations.

##### Personal Property

The personal property value (\$30,155) is the tax-stabilized amount we are requesting to pay. The current value of the property is \$815,000, and using the 2004 City of Providence Tax Assessment rate of \$37 per \$1,000 of assessed value, we arrive at an annual tax payment of \$30,155.

60 Valley Street, LLC  
Tax Stabilization Application for "The Plant", 60 Valley Street

##### Motor Vehicle

60 Valley Street will create approximately 42,000 SF of residential space. Assuming 1.5 vehicles per 1,200 SF of development, this project will draw 53 new vehicle registrations into the City. Using \$7,000 as the average value of each car, our project creates \$367,780 in taxable motor vehicles. At the current City of Providence tax rate of \$76.78 per \$1,000 of assessed value, the annual motor vehicle taxes generated by this development total \$28,238.

##### Retail Sales

Approximately 26,566 SF of new commercial space will be created at 60 Valley Street. Assuming that new commercial space creates one job for every 500 SF of space, this project will create 53 new jobs in just the ground floor commercial space. According to the "Providence is a Creative Hub" presentation to the Providence Foundation (July 2002), Providence's creative economy generated \$160 million in sales on 2,276 employees for an average of \$70,475 in sales per employee. These companies are representative of the companies we seek to become tenants at 60 Valley Street. Based on this metric, 60 Valley's 53 new employees could reasonably expect to work to generate \$3.7 million in sales. These sales, taxed at the retail rate of 7%, will add \$262,112 in State Tax Revenues.

##### Business Corporation Taxes

Using the assumptions outlined above, the \$3.7 million in new sales generated at 60 Valley Street, will also be subject to the 9% Business Corporation Tax, to add \$337,001 in additional taxes for the State.

##### Employment Tax

Referring to the "Providence is a Creative Hub" report, the 2,276 "creative" employees in Providence earned an average salary of \$40,290. Using this average salary as a benchmark, the 53 new employees at 60 Valley will generate over \$2.1 million in new payroll, which will be taxed as follows:

Employment Tax	Rate	Taxes Generated
Fed. Unemployment	6.2% (on 1 <sup>st</sup> \$7,000)	\$23,059
Social Security	6.2%	\$132,723
State Unemployment	1.83%	\$39,175
Job Development	0.21%	\$4,495
Disability (TDD)	1.5%	\$32,110
<b>TOTAL</b>		<b>\$231,562</b>

##### Personal Income Tax

The salaries paid to the 53 new employees will also be subject to Federal, State and Local taxes. The 2005 RI State and Local tax rate is 11.4%, and when applied to the \$2.1 million in payroll, creates \$244,038 in new taxes.



George S. Fardell  
Fire Marshal

George D. Calise  
Deputy Fire Marshal



David N. Guillette  
Mayor

David D. Costa  
Chief of Department

Providence Fire Prevention Division  
"Smoke Detectors Save Lives"

June 30, 2006

Department of the City Clerk  
C/O Ms. Anna M. Stetson, City Clerk  
Providence City Hall  
10 Dorrance Street  
Providence, RI 02903

Re: No Objection to Major Land Development Project 06-030MA, American Locomotive at 555 Valley Street, Providence, RI

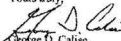
Dear Ms. Stetson:

I am in receipt of a "Notice of Approval and Notice of Appeal for Major Land Development Project" 06-030MA, American Locomotive at 555 Valley Street. The Providence Fire Department has no objection to this major land development project at the proposed locations.

This review pertains solely to the siting and fire department access to this development and shall not be construed as approval to commence construction. Architectural, mechanical, electrical, fire alarm and fire protection plans shall be separately submitted, reviewed and approved before a permit is issued and construction can commence.

If I may be of further assistance, please feel free to call me.

Yours truly,

  
George D. Calise  
Acting Fire Marshal

cc: Ms. Jannice Ashley

325 Washington Street—Providence, Rhode Island 02903—(401) 243-6050

MUNICIPAL LEND CERTIFICATE  
CITY OF PROVIDENCE, OFFICE OF THE COLLECTOR  
CITY HALL PROVIDENCE, RI 02903 (401) 331-4233

ALEXANDER D. PRIGNANO  
Director of Finance



DAVID N. CICILLINE  
Mayor

DATE: August 16, 2006 PLAT: 25 UNIT: 572 LOCATION: 60 Valley St.

ASSESSED OWNER: 60 Valley St. LLC

STATUS OF REAL ESTATE, WILL AS OF DATE PRINTED

YR	TYPE	ORIGINAL TAX	CHARGE	ADJUSTMENT	PAID	BALANCE DUE	INTEREST	TOTAL DUE
2006	RE	\$ 14,333.24	\$ -	\$ -	\$ -	\$ 14,333.24	\$ -	\$ 14,333.24
		14,333.24	\$ -	\$ -	\$ -	\$ 14,333.24	\$ -	\$ 14,333.24

NOTE: INTEREST SHOWN IS VALID FOR 30 DAYS FROM DATE ISSUED. ADDITIONAL CHARGES MAY APPLY IF PAYMENT IS RECEIVED NO LATER THAN 30 DAYS FROM DATE.

NOTE: PLEASE BE AWARE THAT UNPAID TAXES MAY BE SUBJECT TO TAX SALE.

PLEASE CONTACT THE WATER SUPPLY BOARD AT 321-4300

PLEASE CONTACT THE HARBORMASTER BAY COMMISSION AT 481-8823

CERTIFICATION

THIS IS TO CERTIFY THAT THE ABOVE IS TRUE AND CORRECT, SAID CERTIFICATION BEING GIVEN IN ACCORDANCE WITH 44-7-11 OF THE GENERAL LAWS OF RHODE ISLAND 1964, AS OF THE DATE PRINTED ABOVE.

MAILED TO: City Council

*Robert P. Prignano*  
Robert P. Prignano  
Tax Collector

EXHIBIT B

Real Estate 60 Valley St. LLC

Substitution For: 60 Valley Street LLC 60 Valley Street (Providence Dyeing, Bleaching & Calendering Co.)  
Date of Application: June 27, 2005  
City Ordinance: 31-170.1  
Parcel's (PMA) Plat 33 Lot 572 (Lot 572 is decrease of Lot 570 dropped into Lots 572, 573 and 574 on 4/28/06)  
Assessment Assumptions  
Assessment Valuation Date of December 31, 2000  
Tax Rate: 1.0 (2001) \$34.07

REAL ESTATE ASSESSMENT: \$ 344,300  
TAX RATE PER \$1000: \$34.07  
UNADJUSTED TAX CONCLUSIONS: \$ 11,730

Year #	Date	Assessment	% Abated	Assessment Abated	Stabilization Tax Payment	Taxes Abated	Stabilization Level Payments
1	12/31/2006	\$ 344,300	0%	\$ -	\$ 11,730	\$ -	\$ 11,730
2	12/31/2007	\$ 344,300	0%	\$ -	\$ 11,730	\$ -	\$ 11,730
3	12/31/2008	\$ 344,300	0%	\$ -	\$ 11,730	\$ -	\$ 11,730
4	12/31/2009	\$ 344,300	0%	\$ -	\$ 11,730	\$ -	\$ 11,730
5	12/31/2010	\$ 344,300	0%	\$ -	\$ 11,730	\$ -	\$ 11,730
6	12/31/2011	\$ 344,300	0%	\$ -	\$ 11,730	\$ -	\$ 11,730
Totals				\$ -	\$ 70,540	\$ -	\$ 70,540

Finance Department  
"Building Pride In Providence"

August 24, 2006

City Councilman Kevin Jackson  
Chairman City Council Finance Committee  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

RE: Fiscal Note on 60 Valley Street

Dear Chairman Jackson:

Attached is a schedule that shows an estimated cost of entering into a tax stabilization for 60 Valley Street from fiscal year 2007 through fiscal year 2012. As you can see, the stabilization mandated by formula and proposed would have the property generating \$11,730 a year for the next six years. The current taxes on the property now are \$14,333 per year. Thus in the first year the cost to the city is \$2,603. The schedule that I have attached estimates no average growth in taxes of 2.5% per year over the remaining five years of the treaty. If this is accurate, the total loss tax revenue would be \$21,175. However, this is just an estimate, it's impossible at this time to know what future tax rates will be in place and what future valuation conclusions will be, based on development activity. Hopefully this helps give you and the committee some estimate of what the cost of this proposed stabilization will be.

Any questions you may have on this fiscal note please feel free to contact me.

Sincerely,  
*Alex Prignano*  
Alex Prignano  
Director of Finance

Cc: John Simmons

City Hall • Providence, Rhode Island 02903 • (401) 476-7777

EXHIBIT 8

Real Estate 60 Valley St LLC

ching &amp; Calendering Co.)

ts 572,573 and 574 on 4/26/96

### COUNCILMAN IGLIOZZI JOINS THE MEETING.

Read and Passed the Second Time,  
on Motion of COUNCILMAN APONTE,  
seconded by COUNCILWOMAN  
WILLIAMS, by the Following Roll Call  
Vote:

AYES: COUNCIL PRESIDENT  
LOMBARDI, COUNCILMAN APONTE,  
BUTLER, COUNCILWOMAN DIRUZZO,  
COUNCILMEN HASSETT, IGLIOZZI,  
LUNA, MANCINI, COUNCILWOMAN  
ROMANO, COUNCILMAN SEGAL,  
COUNCILWOMEN WILLIAMS and  
YOUNG -12.

NAYES: COUNCILMAN DeLUCA - 1.

ABSENT: COUNCILMEN ALLEN and  
JACKSON - 2.

The Motion for Passage the Second  
Time is Sustained.

Taxes Abated	Stabilization Level Payments	Current Tax Payment	Projected Tax Payment at 2.5% Annual Increase	Fiscal Impact
		\$ 14,333		
\$ -	\$ 11,730		\$ 14,333	\$ (2,603) *
\$ -	\$ 11,730		\$ 14,692	\$ (2,961)
\$ -	\$ 11,730		\$ 15,059	\$ (3,328)
\$ -	\$ 11,730		\$ 15,435	\$ (3,705) *
\$ -	\$ 11,730		\$ 15,821	\$ (4,091)
\$ -	\$ 11,730		\$ 16,217	\$ (4,486)
\$ -	\$ 70,382		\$ 91,557	\$ (21,175)

EXHIBIT 8

Real Estate 60 Valley St LLC

Stabilization For: 60 Valley Street LLC 60 Valley Street (Providence Dyeing, Bleach  
Date of Application: June 27, 2005  
City Ordinance: Code of Ordinance 21-170.1  
Parcels ( Plat/Lot): Plat 35 Lot 572 ( Lot 572 is decedent of Lot 570 dropped into Lot

Assessment Assumptions:	
Assessment Valuation Date of December 31, 2000	
Tax Rate : of (2001) \$34.07	
REAL ESTATE	
ASSESSMENT:	\$ 344,300
TAX RATE PER \$1000:	\$34.07
UNADJUSTED TAX CONCLUSIONS:	\$ 11,730
Assessment Valuation as of December 31, 2005	\$ 379,890
Current Tax @ \$37.72 per \$1,000	\$ 14,333

Year #	Date	Assessment	% Abated	Assessment Abated	Stabilization Tax Payment
1	12/31/2005	\$ 344,300	0%	\$ -	\$ 11,730
2	12/31/2007	\$ 344,300	0%	\$ -	\$ 11,730
3	12/31/2008	\$ 344,300	0%	\$ -	\$ 11,730
4	12/31/2009	\$ 344,300	0%	\$ -	\$ 11,730
5	12/31/2010	\$ 344,300	0%	\$ -	\$ 11,730
6	12/31/2011	\$ 344,300	0%	\$ -	\$ 11,730
Totals				\$ -	\$ 70,382

\* Assessment Dates 12/31/2006 and 12/31/2009 will result in revaluations

## PRESENTATION OF RESOLUTIONS

**COUNCILMAN BUTLER (By Request):**

Resolution Requesting the Traffic Engineer to cause the installation of a "No Parking Handicap" Sign in front of 37 Glover Street.

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**COUNCILMAN IGLIOZZI (By Request):**

Resolution Requesting the Traffic Engineer to cause the installation of a "Four-Way Stop" Sign at Bowlet Street and Barbara Street.

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**COUNCILMAN MANCINI (By Request):**

Resolution Requesting the Traffic Engineer to cause the installation of a "No Parking" Sign in front of 290 Veazie Street.

**COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI Refers the Several Resolutions to the Committee on Public Works.**

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**COUNCILWOMAN ROMANO (By Request):**

Resolution Requesting His Honor the Mayor to execute a lease for the land owned by the City of Providence and located at 99 Berkshire Street as part of Assessor's Plat 70, Lot 565, in the City of Providence to the Head Start Board of Directors, Inc., for a period of twenty years at an annual rental of \$1.00 and with other such terms and conditions as may be imposed by the Committee on City Property, the City Council, His Honor the Mayor, and the City Solicitor.

**COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on City Property.**

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**COUNCILWOMAN YOUNG (By Request):**

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Pine Street and Lockwood Street on Monday, September 18, 2006 between the hours of 6:00 o'clock P.M. and 8:30 o'clock P.M., on behalf of Aids Ocean Care, regarding public safety.

*Resolved,* That the Traffic Engineer is requested to prohibit motor vehicle traffic along Pine Street and Lockwood Street on Monday, September 18, 2006 between the hours of 6:00 o'clock P.M. and 8:30 o'clock P.M., on behalf of Aids Ocean Care, regarding public safety.

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# REPORTS FROM COMMITTEE

## COMMITTEE ON PUBLIC WORKS

### COUNCILMAN TERRENCE M. HASSETT, Chairman

Transmits the Following with  
Recommendation the Same be  
Approved:

Resolution Requesting the Traffic Engineer to establish Mawney Street as a "One-Way" Street from Updike Street to Elmwood Avenue.

*Resolved*, That the Traffic Engineer is requested to establish Mawney Street as a "One-Way" Street from Updike Street to Elmwood Avenue.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, seconded by COUNCILWOMAN WILLIAMS.

The Motion for Passage of the Several Resolutions is Sustained.

JOHN D. NICKELSON, P. E.  
Director



DAVID N. CICILLINE  
Mayor

Department of Public Works  
Traffic Engineering Division  
"Building Pride in Providence"

#### MEMORANDUM

TO: Anna Stetson, Office of the City Clerk  
FROM: E. Bernard Leiby, Traffic Engineer *EBL*  
CC: John D. Nickelson, P.E., Director of DPW  
Councilman Terrence M. Hassett, Chairman, Committee on Public Works  
DATE: September 06, 2006  
SUBJECT: Resolution requesting the Traffic Engineer to establish Mawney Street as a "One-Way" street from Updike Street to Elmwood Avenue.

The office of Traffic Engineering has reviewed this request and recommends establishing Mawney Street as "ONE-WAY" westerly from Updike Street to Elmwood Avenue. Traffic Regulation # 2006-232 was enacted to fulfill this request. This work was completed on September 01, 2006.

## COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND PLANNING

**COUNCILWOMAN BALBINA A. YOUNG, Chairwoman**

**Transmits the Following with  
Recommendation the Same be Adopted,  
As Amended:**

An Ordinance Relative to Affordable  
Housing Trust Funds.

Read and Passed the First Time, on  
Motion of COUNCILMAN APONTE,  
seconded by COUNCILWOMAN  
WILLIAMS, by the Following Roll Call  
Vote:

**AYES: COUNCIL PRESIDENT  
LOMBARDI, COUNCILMAN APONTE,  
BUTLER, DeLUCA, COUNCILWOMAN  
DiRUZZO, COUNCILMEN HASSETT,**

**IGLIOZZI, JACKSON, LUNA, MANCINI,  
COUNCILWOMAN ROMANO, COUNCIL-  
MAN SEGAL, COUNCILWOMEN  
WILLIAMS and YOUNG-14.**

**NAYES: NONE.**

**ABSENT: COUNCILMAN ALLEN - 1.**

**The Motion for Passage the First  
Time is Sustained.**

**Transmits the Following with  
Recommendation the Same be Approved:**

Resolution Authorizing the Providence  
Redevelopment Agency to sell that certain  
property transferred to it by the  
Narragansett Bay Commission.

*Whereas*, the Narragansett Bay Commission  
("NEC"), having determined that the property  
located at 30 Arline Street and Calvery  
Street, more particularly described as  
Providence Tax Assessor's Plat 67, Lots No.  
280, 382, 384 and 391, consisting of  
approximately 44,234 square feet (the  
"Property") is surplus property, has offered to  
sell the Property to the City of Providence

(the "City") in accordance with R.I. Gen. Laws  
§37-7-5.

*Whereas*, the City, having appraised the  
value of the Property, desires to enter into a  
Purchase and Sale Agreement with the NEC  
to purchase the Property for Two Hundred  
Ten Thousand Dollars (\$210,000.00) plus  
expenses (the "Purchase Agreement") in "AS  
IS" condition, subject to a requirement that  
the City or its designated agent agree to  
certain use restrictions and enter into a Land  
Development Agreement with any  
subsequent purchaser of the Property that

conforms to and is consistent with the redevelopment plan adopted by this council.

*Now, therefore, be it resolved,*

1. Having reviewed and considered the above-referenced terms of such purchase, and the facts pertaining to the Property, including without limitation, the current and proposed uses of the Property, and the importance of the Property to the City for the economic development potential benefiting the City from future use and development of the Property, the City Council hereby authorizes the purchase of the Property in accordance with the above-referenced terms and such further terms and conditions as may be negotiated by the representatives hereinafter authorized.

2. The City Council hereby authorizes the Mayor to advise the NEC, in writing, of the City's acceptance of NEC's offer to sell the Property to the City pursuant to R.I. Gen. Laws §37-7-5.

3. The City Council hereby authorizes and designates the Providence Redevelopment Agency ("PRA") as agent of the City to acquire the Property directly and to hold, own, and manage such Property and to sell the Property for redevelopment purposes, all for the interest and benefit of the City and that the Mayor of the City, the Chairman of

the PRA or the Executive Director of the PRA, and any of them acting singly hereby is, authorized to negotiate, enter into, execute, acknowledge and deliver in the name and on behalf of the PRA for the benefit of the City a contract to purchase the Property, from the NEC as aforesaid, and to negotiate, execute, acknowledge and deliver all other agreements, certificates, documents and instruments said officer, in his or her sole discretion, may deem necessary, desirable or appropriate to carry out the foregoing resolutions and the transaction contemplated thereby, including without limitation, any deed and any action so taken shall be deemed conclusive evidence of the due authorization thereof; and all acts and doings such officers of the City which are in conformity with the intent and purposes of these resolutions, whether heretofore or hereafter taken or done, shall be in all respects ratified, confirmed and approved.

4. This Resolution shall take effect immediately upon passage.

**Read and Passed, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.**

**The Motion for Passage is Sustained.**

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## COMMUNICATIONS AND REPORTS

Communication dated August 30, 2006 from Edmund T. Parker, Jr., P.E., Chief Engineer, Rhode Island Department of Transportation, Office of the Chief Engineer, submitting the Safety Improvements to High Hazard Intersections, Cranston Street.

**COUNCIL PRESIDENT LOMBARDI**  
Refers the Communication to the  
Committee on Public Works.

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Communication from Joseph M. Fernandez, City Solicitor, Law Department, submitting the 2006 Annual Report.

**COUNCIL PRESIDENT LOMBARDI**  
Receives the foregoing Communication.

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## FROM THE CLERK'S DESK

**Petitions for Compensation for Injuries  
and Damages, viz:**

Paul Rwenzo  
(Russell R. Weddell, Esquire)

The Hartford Fire Insurance Company  
a/s/o The Foundary Associates Limited  
Partnership  
(Dana M. Horton, Esquire)

Janet Balletto  
Estate of Jose Ruiz  
(Charles J. Vucci, Esquire)

Amica Mutual Insurance Company  
a/s/o Laura McPeake

Ruby D. Hebert and Edward Hebert  
(James J. McKenna, Esquire)

Donna and Timothy Gravel  
(Paul V. Reynolds, Esquire)

Nancy E. Wilson  
Chauncey Logan  
(Charles J. Vucci, Esquire)

Robert R. Gaudreau, Sr.

Jairo R. Portillo  
(Warren W. Wolf, Esquire)

MetLife Insurance  
a/s/o Candida Pereira

Liberty Mutual  
a/s/o Frances Martin

Committee on Claims and Pending  
Suits.

**COUNCIL PRESIDENT LOMBARDI**  
**Refers the Several Petitions to the**

## **PRESENTATION OF RESOLUTIONS**

*"In Congratulations"*

**COUNCIL PRESIDENT LOMBARDI and**  
**MEMBERS OF THE CITY COUNCIL:**

Resolution Extending Congratulations.

*Resolved*, That the Members of the City Council hereby Extend their Sincere Congratulations to the following:

George Lazzareschi, in recognition of winning 3 Gold Medals in the United States Powerlifting World Championship Competition; 2 World Records and 1 National Record. Congratulations on his retirement from Competitive Weightlifting.

Adrianna Bishop, in recognition of successfully completing the "Dare to be You Program" (DTBY), a parenting series focused on developing positive self concept, good communication skills and decision making for adolescent parents.

Gloria Marton, in recognition of successfully completing the "Dare to be You Program" (DTBY), a parenting series focused on developing positive self concept, good communication skills and decision making for adolescent parents.

Xiomara Correa, in recognition of successfully completing the "Dare to be You Program" (DTBY), a parenting series focused on developing positive self concept, good communication skills and decision making for adolescent parents.

Sheila Figueroa, in recognition of successfully completing the "Dare to be You Program" (DTBY), a parenting series focused on developing positive self concept, good communication skills and decision making for adolescent parents.

Connie Caba, in recognition of successfully completing the "Dare to be You Program" (DTBY), a parenting series focused on developing positive self concept, good communication skills and decision making for adolescent parents.

Ericka Reyna, in recognition of successfully completing the "Dare to be You Program" (DTBY), a parenting series focused on developing positive self concept, good communication skills and decision making for adolescent parents.

Senne Kollie, in recognition of successfully completing the "Dare to be You Program" (DTBY), a parenting series focused on developing positive self concept, good communication skills and decision making for adolescent parents.

Margaret Fana, in recognition of successfully completing the "Dare to be You Program" (DTBY), a parenting series focused on developing positive self concept, good communication skills and decision making for adolescent parents.

Ashley Morel, in recognition of successfully completing the "Dare to be You Program" (DTBY), a parenting series focused on developing positive self concept, good communication skills and decision making for adolescent parents.

Cid Barines, in recognition of successfully completing the "Dare to be You Program" (DTBY), a parenting series focused on developing positive self concept, good

communication skills and decision making for adolescent parents.

Jasmine Garriga, in recognition of successfully completing the "Dare to be You Program" (DTBY), a parenting series focused on developing positive self concept, good communication skills and decision making for adolescent parents.

Judy Kong, in recognition of successfully completing the "Dare to be You Program" (DTBY), a parenting series focused on developing positive self concept, good communication skills and decision making for adolescent parents.

**Severally Read and Collectively Passed, on Motion of COUNCILMAN APONTE, seconded by COUNCIL-WOMAN WILLIAMS.**

**The Motion for Passage is Sustained.**

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## PRESENTATION OF RESOLUTIONS

### "In Memoriam"

#### **COUNCIL PRESIDENT LOMBARDI and MEMBERS OF THE CITY COUNCIL:**

#### **Resolution Extending Sympathy.**

*Resolved,* That the Members of the City Council hereby extend their sincere sympathy to the families of the following.

Mst. Sgt. William J. Reardon

Dorothy Ann Martin

Margaret Mary O'Reilly

Dominick P. Doughall

Walter E. Sciarra

Julia B. White

Concetta "Connie" Forte

Ida C. Sabatino

Severally Read and Collectively  
Passed, by a Unanimous Rising Vote, on  
Motion of COUNCILMAN APONTE,  
seconded by COUNCILWOMAN  
WILLIAMS.

The Motion for Passage is Sustained.

## MATTER NOT APPEARING ON THE PRINTED DOCKET

On Motion of COUNCILMAN APONTE,  
seconded by COUNCILWOMAN WILLIAMS,  
it is voted to Suspend Rule 16-B of the  
City Council Rules in order to allow the  
introduction of the Following Matter Not  
Appearing on the Printed Docket.

## PRESENTATION OF ORDINANCE

### COUNCILMAN BUTLER (By Request):

An Ordinance in Amendment of Chapter  
27 of the Code of Ordinances of the City of  
Providence Entitled: "The City of Providence  
Zoning Ordinance", Approved June 27, 1994,  
As Amended.

COUNCILMAN APONTE Moves to  
Dispense with the Reading of the  
foregoing matter.

COUNCIL PRESIDENT LOMBARDI  
Refers the Ordinance to the Committee  
on Ordinances.

## ADJOURNMENT

There being no further business, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 7:45 o'clock P.M. (E.D.T.), to meet again on THURSDAY, OCTOBER 5, 2006 at 7:30 o'clock P.M. (E.D.T.)



ANNA M. STETSON  
CITY CLERK



September 21)

536

(2006