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CITY OF PROVIDENCE  
RHODE ISLAND



CITY COUNCIL  
JOURNAL OF PROCEEDINGS

No. 13 City Council Regular Meeting, Friday, May 6, 2005, 7:30 o'clock P.M. (E.D.T.)

PRESIDING  
COUNCIL PRESIDENT  
JOHN J. LOMBARDI

ROLL CALL

Present: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN ALLEN, APONTE, DeLUCA, COUNCILWOMAN DIRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMEN ROMANO and YOUNG-12.

Absent: COUNCILMEN BUTLER, SEGAL and COUNCILWOMAN YOUNG - 3.

Also Present: Adrienne G. Southgate, Deputy City Solicitor, Michael R. Clement, City Clerk, Claire E. Bestwick, First Deputy City Clerk, Jennifer L. Emidy, Assistant Clerk and Vincent J. Berarducci, City Sergeant.

2006 NOV -3 A 9:03  
DEPT. OF CITY CLERK  
PROVIDENCE, R.I.

FILED

NOV 16 2006  
IN CITY COUNCIL  
*Ann M. Steinhilber*  
READ  
WHEREUPON IT IS ORDERED THAT  
THE SAME BE APPROVED.

## INVOCATION

The Invocation is given by COUNCIL-  
WOMAN JOSEPHINE DIRUZZO.

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

COUNCILMAN PETER S. MANCINI  
Leads the Members of the City Council  
and the Assemblage in the Pledge of  
Allegiance to the Flag of the United  
States of America.

## ORDINANCES SECOND READING

The Following Ordinances were in City  
Council April 15, 2004, Read and Passed  
the First Time and are Severally  
Returned for Passage the Second Time:

An Ordinance in Amendment of  
Ordinance No. 645, Chapter 2002-42  
Entitled: "An Ordinance Relating to Tax  
Stabilization for Stanley Weiss Associates,  
LLC, As Amended.

*Be it ordained by the City of Providence:*

*Whereas,* the City Council, pursuant to the  
General Laws of the State of Rhode Island,  
as amended, has the authority to exempt  
property in the designated Downcity Tax  
District used for commercial purposes from  
the payment of property tax if the granting of  
the exemption meets certain conditions set  
forth in said sections of the General Laws of

the State of Rhode Island and the Code of Ordinances of the City of Providence; and

*Whereas*, Stanley Weiss Associates, LLC, a Rhode Island limited liability company ("Developer") owns the real property identified as Assessor's Plat 25, Lots 343, 344 and 450 and intends to construct at least a 77 room hotel ("Hotel"), including ancillary uses such as restaurant, health and fitness and retail uses; and

*Whereas*, it is in the public interest to provide property tax incentives for owners of under utilized property in the Downcity District in order that there may be substantial rehabilitation of the properties and attract new residential, commercial, and institutional uses. It is also in the public interest to offer these incentives for a limited duration; and

*Whereas*, the City and Developer desire to fix and stabilize the level of taxes to be made with respect to the Project; and

*Whereas*, the Developer has made application under and has satisfied each condition of the laws of the state of Rhode Island and the code of ordinances of the city of Providence.

*Whereas*, The City and Developer have agreed that Developer or any other Project Owner will make certain stabilized tax payments to the City with respect to the Project; and

*Whereas*, this Ordinance is in the public interest as it induces Developer, a commercial concern, to construct the Project in the City and the Project significantly increases the tax base of the City, provides significant tax revenues to the City, creates substantial

employment opportunities in the City and substantially enhances property values in the City, as well as the overall economic climate of the City; and

*Whereas*, City Code of Ordinances provide that the City and Developer may make an agreement with respect to the stabilization of all real and personal property taxes with respect to the Project in the Downcity Tax District; and

*Whereas*, the payments made pursuant to this Ordinance are fair and equitable and acceptable to the City and Developer; and

*Whereas*, upon acceptance of the terms of this Ordinance by Developer, this Ordinance shall contain all the terms and conditions of the agreement between the City and Developer relating to the stabilization of taxes to be made with respect to the Project.

*Now, therefore*, in consideration of the mutual agreements, understandings and obligations set forth herein, upon acceptance hereof by Developer, the City and Developer agree as follows:

1. Confirmation of Findings. The findings set forth in the preceding WHEREAS clauses are hereby made Confirmed.

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

(a) "Commencement Date" shall mean March 24, 2003.

(b) "Personal Property" means any and all tangible personal property, including, but not limited to all fixtures, equipment, furnishings, vehicles and other personal

property, now or hereafter located at the Project Site.

(c) "Project Owner" means Developer or any successor permitted hereunder.

(d) "Project Site" means 139 Matthewson Street, (Plat 25, Lot 343), 311 Westminister Street (Plat 25, lot 450) and 317-19 Westminister Street (Plat 25, Lot 344) in the City of Providence.

(e) "Project Taxable Properties" means, collectively, the Project Site as proposed, the Real Property Improvements as made on the assumptions in the attached exhibit and the Personal Property as proposed, together, constituting the Project.

(f) "Real Property Improvements" means all structures, buildings, renovations and improvements currently proposed to be located at the Project Site. Any material additional improvements, excluding customary repairs and renovations, shall require a modification of this treaty.

(g) "Project" means the Project Site, the real property improvements in connection with the construction and operation of the hotel as proposed in the plans attached as Exhibit A.

(h) "Stabilized Tax Payment" means, with respect to the Project Taxable Properties, the amounts listed on the attached schedule.

(i) "Termination Date" means June 30, of the tenth year in which Stabilized Tax Payments are payable hereunder, as per the attached schedule.

3. Term. The Term of this agreement shall be for a period commencing on the date

hereof and terminating on the Termination Date, per the attached schedule.

4. Payment of Taxes. (a) Developer or any other Project Owner shall make Stabilized Tax Payments as prescribed in the attached schedule to the City in lieu of all other real property and personal property taxes and the City agrees to accept the Stabilized Tax Payments in lieu of such real property and personal property taxes on the Project Taxable Property.

(b) Stabilized Tax Payments due to the City, 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 the 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.

(c) It is understood by the parties that Stabilized Tax Payments made hereunder are deemed by the City to be tax payments, and the Project Owner shall be entitled to all the rights and privileges of a taxpayer in the City.

(d) The liability for Stabilized Tax Payments due and owing under this agreement shall constitute an obligation of Developer or any other Project Owner, and the City 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 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.

5. Satisfaction of Obligations. The City agrees that so long as the Stabilized Tax

Payments are made by the Project Owner in accordance with the terms 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 which would otherwise be levied upon or with respect to the Project Taxable Properties, including future customary repairs and customary renovations of the Facility 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 to the Facility beyond that contemplated in the definition of Facility herein.

6. Transfers. As long as Developer owns or operated the Facility, it will continue to pay the Stabilized Taxes on the Project. Developer, its successors and assigns, agree that the Project will be subject to taxation at the expiration of this agreement. Except as set forth below, Developer also agrees not to transfer the Facility to a tax-exempt entity during the term of this agreement and will require any subsequent transferee to covenant not to transfer the Facility to a tax-exempt entity during the term of this agreement. Developer is also required as a condition precedes to this agreement to record notice of the requirement that the Facility be transferred only to a tax paying entity, except as provided herein, so long as this agreement is in effect in the Land Evidence Records of the City of Providence. Notwithstanding this provision, in the event that the Project Owner does not make the Stabilized Tax Payments under this agreement, Developer shall be responsible to pay any payments for the term of this agreement. In the event that the Project is transferred to a tax-exempt entity during the term of this agreement, whether by

Developer or any subsequent transferee of such property, Developer or its principals shall be responsible to pay any Stabilized Tax Payments to the City for the balance of the term of this agreement. Notwithstanding anything in the agreement to the contrary, the parties agree that at any time and without the consent of the City (i) the Developer may transfer the Project Site and the Project Taxable Facilities to The Hotel Providence, LLC, a Rhode Island limited liability company and (ii) The Hotel Providence, LLC, may transfer the Project Site and the Project Taxable Facilities to the Rhode Island Industrial Facilities Corporation ("RIIFC") or the Rhode Island Industrial-Recreational Building Authority ("IRBA") in connection with the closing on financing to develop the Project Site and the Project Taxable Facilities; and (iii) RIIFC and IRBA may subsequently transfer the Project Site and the Project Taxable Facilities to any person or entity, whether or not such person or entity is a taxable or tax-exempt entity. In any such event, Developer shall be responsible to pay any payments for the term of this agreement.

7. Employment. It shall be the goal and Developer shall utilize its best efforts to award to Minority Business Enterprises, as defined in Rhode Island General Laws Sections 37-14.1 ("MBE Act") no less than 10% of the dollar value of the construction cost of the Facility (as determined in accordance with the rules and regulations promulgated pursuant to the MBE Act). It shall be the goal and Developer shall also utilize its best efforts to award to women business enterprises ("WBE") no less than 10% of the dollar value of the construction cost of the Facility (as determined in accordance with Section 21-52 of the Code of Ordinances of the City of Providence). It shall

be a further goal of Developer to achieve a minimum level of employment at the Project of 10% minorities and 10% females.

In making employment decisions for the Project, to the extent permitted by law, Developer shall provide preferential consideration to qualified employees/applications who reside in the City of Providence. The parties agree that in addition to the current workforce employed by Developer, the Project will maintain a minimum of six (6) additional full-time equivalent jobs on an annual basis in the City of Providence. Failure to generate these jobs within one year of a certificate of occupancy or commencement of operations, whichever is sooner, for the Project, shall render this agreement null and void, unless so waived by the City Council. This agreement being rendered null and void under this paragraph would require the Developer to pay all taxes and fees due and owing as if this agreement had not been entered into.

8. Payment of Taxes. The real property taxes payable to the City by the Project during the term of this ordinance shall be based upon the real property tax rates in effect for the City's 2000 fiscal year. This agreement is conditioned upon Developer owing no back taxes to the City or Developer remaining current under the terms of this agreement or any payment plan for any property owned by Developer, which plan has the approval of the Tax Collector, City of Providence, in writing. Failure to make said timely payments within thirty (30) days following written notice by the City of any delinquency in payment under this agreement (unless a payment plan is under good-faith

negotiation or under any payment plan approved by the Tax Collector) may render this agreement null and void at the sole discretion of the City. This agreement being rendered null and void would require the Developer to pay all taxes in amount equal to the difference between the Stabilized Tax Payments which were paid and the taxes which would have been payable if this agreement had not been entered into.

9. Entire Agreement. This Ordinance, upon acceptance by Developer, constitutes the entire agreement of the parties hereto with respect to the subject matter hereof. The parties hereto expressly acknowledge and agree that this agreement has been entered into for the benefit of Developer and any other Project Owner and shall be enforceable by Developer and any other Project Owner directly against the City. This agreement may only be modified or amended in writing and with the consent of the parties hereto. No oral modification shall be enforceable or effective.

10. 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 prepaid, return receipt requested and received or 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 a facsimile, telephone number or receipt and addressed to the party to receive such Notice as set forth below:

If to the City of Providence:

City of Providence  
City Hall  
25 Dorrance Street  
Providence, RI 02903  
Att: Mayor, City of Providence  
25 Dorrance Street  
Providence, RI 02903

Copies to:

President, City Council  
25 Dorrance St.  
Providence, RI 02903

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

If to Developer or Project Owner:

Stanley Weiss  
Stanley Weiss Associates, LLC  
292 Westminster Street  
Providence, RI 02903

11. Assignment This agreement may not be assigned by Developer or Project Owner prior to completion of the Project without the consent of the City. After completion and during the term of this agreement, the Project may not be operated as anything less than a hotel with amenities substantially similar to those in existence on the date of completion without the consent of the City, which consent will not be unreasonably withheld. Notwithstanding anything in the agreement to the contrary, the parties agree that at any time and

without the consent of the City either the Developer or Project Owner may assign the agreement to The Hotel Providence, LLC, and The Hotel Providence, LLC, may assign this agreement as collateral to any institutional lender to the Project.

12. Schedule. The schedules attached are based upon information provided to the Tax Assessor by Developer including, but not limited to, estimated construction costs. In the event any of this information is inaccurate or proves to be erroneous, this treaty shall be modified to reflect the accurate information.

13. Applicable Law. This agreement shall be construed under the laws of the State of Rhode Island.

An Ordinance Making an Appropriation of Two Hundred Eighty Eight Million Two Hundred Twenty Five Thousand Nine Hundred Eighty Eight Dollars (\$288,225,988) for the support of the Providence School Department for the fiscal year ending June 30, 2004, and repealing Ordinance Chapter 2003-32, approved May 12, 2003.

*Be it ordained by the City of Providence:*

ITEM	ORIGINAL	AMENDED	CHANGE
SALARIES	\$160,729,117	\$160,679,821	(\$49,296)
SERVICES	56,103,308	55,288,867	185,559
SUPPLIES	5,587,226	5,622,214	34,988
SPECIAL ITEMS	65,353,497	65,110,988	(242,509)
CAPITAL	452,840	524,098	71,258
GRAND TOTAL	\$288,225,988	\$288,225,988	\$0

An Ordinance Establishing a Compensation Plan for the Providence School Department

and repealing Ordinance Chapter 2003-33,  
Approved May 12, 2003.

*Be it ordained by the City of Providence:*

12 Month Group III	26,109 – 31,422
12 Month Group IV	27,384 – 32,697
12 Month Group V	27,565 – 33,970
12 Month Group VI	35,263 – 42,902

<u>ASSISTANTS<sup>1</sup></u>	<u>2003-2004</u> <u>ANNUAL</u> <u>SALARY</u> <u>RANGE</u>	<u>TEACHERS<sup>1</sup></u>	<u>2003-</u> <u>2004</u> <u>ANNUAL</u> <u>SALARY</u> <u>RANGE</u>
Group I General Assistant 11.72 hr		Step 1	33,026
30 hours per week	\$ 14,767	Step 2	35,220
35 hours per week	17,228	Step 3	37,271
40 hours per week	19,690	Step 4	41,115
Group II Teacher, Clerical or Security Assistant		Step 5	44,151
11.72 1st Step	14,767 – 19,690	Step 6	47,165
12.18 2nd Step	15,347 – 20,462	Step 7	50,170
12.40 3rd Step	15,624 – 20,832	Step 8	53,238
Group III Teacher Assistant I, Clerical or Security Assistant		Step 9	55,965
12.63 1st Step	15,914 – 21,218	Step 10	62,251
12.82 2nd Step	16,153 – 21,538	BA + 30	1,955
13.07 3rd Step	16,468 – 21,958	MA	2,355
Group IV Teacher Assistant II, Clerical or Security Assistant		MA + 30	2,757
13.29 1st Step	16,745 – 22,327	Doctorate	3,157
13.52 2nd Step	17,035 – 22,714	<u>PRINCIPALS<sup>1</sup></u>	
13.72 3rd Step	17,287 – 23,050	Master Principal-High School Master	124,813
Group V Assistant Liaison		Principal-Elementary School	110,308
15.10 1st Step	19,026 – 25,368	12 Month Principal-High School	123,662
15.44 2nd Step	19,454 – 25,939	12 Month Principal-Middle School 12	114,017
15.79 3rd Step	19,895 – 26,527	Month Principal-Elementary School	108,106
<u>CLERKS<sup>1</sup></u>		High School Principal Coaches	110,557
10 Month Group I	18,569 – 23,933	Middle School Principal Coaches	101,852
12 Month Group I	23,979 – 29,292	Elementary School Principal Coaches	97,547
12 Month Group II	24,834 – 30,147	High School	100,908
10 Month Group III	19,998 – 31,422	Middle School	92,131
		Elementary	86,528
		<u>ASSISTANT PRINCIPALS<sup>1</sup></u>	
		High School	83,914
		Middle School	80,615
		Elementary	78,187

**CERTIFIED ADMINISTRATORS<sup>1</sup>**

Superintendent	160,000
Chief of Staff	110,000 – 120,000
Chief Academic Officer	110,000 – 120,000
Chief Operations Officer	110,000 – 120,000
Assistant Superintendent of Curriculum, Instruction & Prof Development	104,579
Assistant Superintendent of Special Services	104,579
Dean of Teaching & Learning	94,310
Instructional Facilitator	94,310
Director of Alternate Learning Project	94,310
Director of Career Technology	94,310
Director of Drop-Out Prevention and Recovery	94,310
<b>Director of Elementary School Improvement Reform</b>	<b>94,310</b>
<b>Director of High School Initiatives</b>	<b>94,310</b>
<b>Director of External Funding</b>	<b>94,310</b>
Director of Guidance & Support Services	94,310
Director of Health Science & Technology Academy	94,310
<b>Director of Instructional Planning and Development</b>	<b>94,310</b>
Director of Instructional Technology	94,310
Director of Language and Culture	94,310
<b>Director of Middle Level Instruction</b>	<b>94,310</b>
Director of Providence Academy of International Studies	94,310
<b>Director Accountability</b>	<b>94,310</b>
Director of School Operations and Student Support	94,310
Administrator/Supervisor Nursing	92,504

Administrator/Supervisor of Health and Physical Education	92,504
Birch Vocational School Coordinator	88,334
Supervisor of Special Education	88,334
Providence Place Mall Academy Coordinator	88,334
Coordinator of Research and Assessment	78,062
<b>Early Childhood Coordinator</b>	<b>78,062</b>
Math Coordinator	78,062
Reading Coordinator	78,062
<b>Elementary Reform Facilitator</b>	<b>62,400 – 72,800</b>
<b>Facilitator of Accountability</b>	<b>62,400 – 72,800</b>
Coordinator/Administrator 10 month	68,655

**NON-CERTIFIED ADMINISTRATORS<sup>1</sup>**

**2003-2004 ANNUAL SALARY RANGE**

Chief Legal Counsel	120,000 – 130,000
Senior Executive Director of Human Resources	110,000 – 120,000
Chief Financial Officer	110,000 – 120,000
Senior Director of Information Services	104,579
<b>Director of Government Affairs</b>	<b>94,310</b>
Senior Administrator for Human Resources	87,129
Director of Facilities	72,000 – 82,000
Controller	70,720 – 81,120
<b>Coordinator of Grant Oversight and External Funding</b>	<b>67,000 – 77,000</b>
Senior Budget Officer	64,896 – 75,712
Policy and Public Affairs Administrator	72,800
Facilitator of Communications	62,400 – 72,800
Facilitator of Family and Community Partnerships	62,400 – 72,800
Facilitator of Development	62,400 – 72,800



Student Relations Administrator	50,000
Technology E-Mail Administrator	52,442 – 59,800
Water Safety Instructor	24,859 – 31,905

<sup>1</sup> Reflects base salary. Does not include extension of the school year.

***Bold italicized print indicates non-local funding.***

An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Employees in certain classes in the Providence School Department and repealing Ordinance Chapter 2003-34, approved May 12, 2003.

*Be it ordained by the City of Providence:*

SECTION 1. The number of employees in the Department of General Administration shall not exceed one and five tenths (1.50). There shall be no more than:

.50	Clerk
1.00	Support Services Administrator

SECTION 2. The number of employees in the School Board shall not exceed ten (10). There shall be no more than:

9.00	School Board Members
1.00	Executive Aide

SECTION 3. The number of employees in the Superintendent's Office shall not exceed three (3). There shall be no more than:

1.00	Chief Legal Counsel
1.00	Superintendent
1.00	Administrative Assistant

SECTION 4. The number of employees in the Department of Human Resources shall not exceed twenty (20). There shall be no more than:

1.00	Sr. Executive Director
1.00	Sr. Human Resources Administrator
14.00	Clerks
1.00	Human Resource Specialist
1.00	Human Resources Attorney
1.00	Teacher Assistant Specialist
1.00	Executive Aide

SECTION 5. The number of employees in the Office of the Chief of Staff shall not exceed two (2). There shall be no more than:

1.00	Chief of Staff
1.00	Executive Aide

SECTION 6. The number of employees in the EEO office shall not exceed two (2). There shall be no more than:

1.00	EEO Officer
1.00	Clerk

SECTION 7. The number of employees in the Communications Office shall not exceed two (2). There shall be no more than:

1.00	Facilitator
<b>1.00</b>	<b>Clerk</b>

SECTION 8. The number of employees in the Development Office shall not exceed two (2). There shall be no more than:

1.00	Facilitator
1.00	Program Development Officer

- SECTION 9. The number of employees in the Office of the Chief Operations Officer shall not exceed two (2). There shall be no more than:
- 1.00 Chief Operations Officer
  - 1.00 Clerk
- SECTION 10. The number of employees in the Office of Family and Community Partnerships shall not exceed fifteen (15). There shall be no more than:
- 1.00 *Director of Government Affairs*
  - 1.00 *Facilitator of Parent Involvement*
  - 1.00 *Facilitator of Public Engagement*
  - 1.00 *Parent Liaison*
  - 8.00 *Parent and Public Engagement Specialist*
  - 1.00 *Public and Parent Information Specialist*
  - 1.00 Facilitator of Family and Community Partnerships
  - 1.00 Clerk
- SECTION 11. The number of employees in the Controller's Office shall not exceed twenty eight (28): There shall be no more than:
- 1.00 School Controller
  - 1.00 Senior Budget Officer
  - 1.00 Budget Officer
  - 1.00 Payroll Supervisor
  - 1.00 Budget Analyst
  - 1.00 *Fiscal Officer*
  - 22.00 Clerks
- SECTION 12. The number of employees in the Purchasing Office shall not exceed eight (8). There shall be no more than:
- 1.00 Expediter of Purchasing
  - 7.00 Clerks
- SECTION 13. The number of employees in the Department of Transportation shall not exceed eighty one (81). There shall be no more than:
- 1.00 Supervisor
  - 1.00 Assistant Supervisor
  - 2.00 Route Foremen
  - 8.00 Clerks
  - 69.00 Bus Monitors
- SECTION 14. The number of employees in the Central Supply Office shall not exceed nine and five tenths (9.5). There shall be no more than:
- 1.00 Foreman
  - 3.50 Clerks
  - 4.00 Drivers
  - 1.00 Senior Driver
- SECTION 15. The number of employees in Plant Maintenance Administration shall not exceed five (5). There shall be no more than:
- 1.00 Director of Facilities
  - 2.00 Plant Maintenance Coordinators
  - 2.00 Clerks
- SECTION 16. The number of employees in Plant Operations shall not exceed one (1). There shall be no more than:
- 1.00 Head Custodian-High School

SECTION 17. The number of employees in the Student Relations Office shall not exceed twelve and two tenths (12.20). There shall be no more than:

- 1.20 Teachers
- 5.00 Teacher Assistants
- 5.00 Clerks
- 1.00 Director

SECTION 18. The number of employees in the Department of Special Education shall not exceed eighty (80). There shall be no more than:

- 1.00 Assistant Superintendent of Special Services
- 12.00 Supervisors
- 10.00 Resource Teachers
- 14.00 Clerks
- 18.00 Special Education Teachers
- 2.00 Occupational Therapists
- 2.00 Certified Occupational Therapist Assistant
- 21.00 Teacher Assistants

SECTION 19.

The number of employees in the Special Education Itinerant Services shall not exceed twenty and three tenths (20.30). There shall be no more than:

- 2.90 Resource Teachers
- 4.60 Diagnostic Prescriptive Teachers
- 4.20 Social Workers
- 4.10 Speech Pathologists
- 3.70 Psychologists
- 0.40 Physical Therapists
- 0.40 Occupational Therapists

SECTION 20.

The number of employees in the Occupational Education Program shall not exceed two and three tenths (2.30). There shall be no more than:

- 2.30 Teachers

SECTION 21. The number of employees in Pleasant View Elementary School shall not exceed eighty and eight tenths (80.80). There shall be no more than:

- 44.90 Teachers
- 25.00 Teacher Assistants
- 2.00 Clerks
- 1.00 Principal
- 1.00 Water Safety Instructor
- 5.00 Child Care Workers
- 0.50 Physical Therapists
- 1.40 Occupational Therapists

SECTION 15.

The number of employees in Plant Maintenance Administration shall not exceed five (5). There shall be no more than:

- 1.00 Director of Facilities
- 2.00 Plant Maintenance Coordinators
- 2.00 Clerks

SECTION 16.

The number of employees in Plant Operations shall not exceed one (1). There shall be no more than:

- 1.00 Head Custodian-High School

SECTION 17.

The number of employees in the Student Relations Office shall not exceed twelve and two tenths (12.20). There shall be no more than:

- 1.20 Teachers
- 5.00 Teacher Assistants
- 5.00 Clerks
- 1.00 Director

SECTION 18.

The number of employees in the Department of Special Education shall not exceed eighty (80). There shall be no more than:

- 1.00 Assistant Superintendent of Special Services
- 12.00 Supervisors
- 10.00 Resource Teachers
- 14.00 Clerks
- 18.00 Special Education Teachers
- 2.00 Occupational Therapists
- 2.00 Certified Occupational Therapist Assistant
- 21.00 Teacher Assistants

SECTION 19. The number of employees in the Special Education Itinerant Services shall not exceed twenty and three tenths (20.30). There shall be no more than:

- 2.90 Resource Teachers
- 4.60 Diagnostic Prescriptive Teachers
- 4.20 Social Workers
- 4.10 Speech Pathologists
- 3.70 Psychologists
- 0.40 Physical Therapists
- 0.40 Occupational Therapists

SECTION 20. The number of employees in the Occupational Education Program shall not exceed two and three tenths (2.30). There shall be no more than:

- 2.30 Teachers

SECTION 21. The number of employees in Pleasant View Elementary School shall not exceed eighty and eight tenths (80.80). There shall be no more than:

- 44.90 Teachers
- 25.00 Teacher Assistants
- 2.00 Clerks
- 1.00 Principal
- 1.00 Water Safety Instructor

- 5.00 Child Care Workers
- 0.50 Physical Therapists
- 1.40 Occupational Therapists

SECTION 22. The number of employees in Anthony Carnevale Elementary School shall not exceed sixty three and six tenths (63.60). There shall be no more than:

- 40.00 Teachers
- 17.00 Teacher Assistants
- 2.00 Clerks
- 1.00 Principal
- 3.00 Child Care Workers
- 0.10 Physical Therapists
- 0.50 Certified Occupational Therapist Assistant

SECTION 23. The number of employees in Asa Messer Annex Elementary School shall not exceed eighteen and eighty five hundredths (18.85). There shall be no more than:

- 10.25 Teachers
- 7.00 Teacher Assistants
- 1.00 Clerk
- 0.20 Principal
- 0.20 Assistant Principal
- 0.20 Certified Occupational Therapist Assistant

SECTION 24. The number of employees in Asa Messer Elementary School shall not exceed thirty six and thirty five hundredths (36.35). There shall be no more than:

- 26.95 Teachers
- 6.00 Teacher Assistants
- 1.60 Clerks
- 0.80 Principal
- 0.80 Assistant Principal
- 0.20 Certified Occupational Therapist Assistant

SECTION 25.	The number of employees in Robert Bailey IV Elementary School shall not exceed seventy and four tenths (70.40). There shall be no more than:	36.80 14.00 2.00 1.00 0.10	Teachers Teacher Assistants Clerks Principal Certified Occupational Therapist Assistant
	40.30 25.00 2.00 1.00 0.10 1.00 1.00		Teachers Teacher Assistants Clerks Principal Physical Therapists Child Care Worker Computer Service Specialist
SECTION 26.	The number of employees in Windmill Annex Elementary School shall not exceed twenty four and three tenths (24.30). There shall be no more than:		
	12.90 10.00 1.00 0.20 0.20		Teachers Teacher Assistants Clerk Principal Assistant Principal
SECTION 27.	The number of employees in Birch Vocational School shall not exceed thirty five and four hundredths (35.40). There shall be no more than:		
	13.10 14.00 1.00 1.00 5.00 1.00 0.30		Teachers Teacher Assistants Clerk Supervisor Child Care Workers Job Coach Physical Therapists
SECTION 28.	The number of employees in Alan Shawn Feinstein at Broad Street Elementary School shall not exceed fifty three and nine tenths (53.90). There shall be no more than:		
		35.25 15.00 2.00 1.00 2.00 0.30	Teachers Teacher Assistants Clerks Principal Child Care Workers Physical Therapists
	SECTION 29.	The number of employees in Harry Kizirian Elementary School shall not exceed sixty six and five tenths (66.50). There shall be no more than:	
		42.90 19.00 2.00 1.00 1.00 0.60	Teachers Teacher Assistants Clerks Principal Assistant Principal Occupational Therapists
	SECTION 30.	The number of employees in Edmund W. Flynn Elementary School shall not exceed sixty and two tenths (60.20). There shall be no more than:	
		44.50 11.00 2.00 0.80 0.80 1.00 0.10	Teachers Teacher Assistants Clerks Principal Assistant Principal Computer Management Specialist Physical Therapists
	SECTION 31.	The number of employees in Vartan Gregorian at Fox Point Elementary School shall not exceed fifty seven and fifty five hundredths (57.55). There shall be no more than:	
		35.25 15.00 2.00 1.00 2.00 0.30	Teachers Teacher Assistants Clerks Principal Child Care Workers Physical Therapists

- 1.00 Occupational Therapist
- 1.00 Assistant Principal

SECTION 32. The number of employees in Charles Fortes Elementary School Annex shall not exceed thirteen and eight tenths (13.80). There shall be no more than:

- 7.80 Teachers
- 6.00 Teacher Assistant

SECTION 33. The number of employees in Charles Fortes Elementary School shall not exceed fifty eight and three tenths (58.30). There shall be no more than:

- 40.80 Teachers
- 13.00 Teacher Assistants
- 2.40 Clerks
- 1.00 Principal
- 1.00 Assistant Principal
- 0.10 Physical Therapists

SECTION 34. The number of employees in Alfred Lima Elementary School shall not exceed fifty seven and four tenths (57.40). There shall be no more than:

- 41.70 Teachers
- 13.00 Teacher Assistants
- 2.40 Clerks
- 1.00 Principal
- 1.00 Assistant Principal
- 0.10 Physical Therapists

SECTION 35. The number of employees in Alfred Lima Elementary School Annex shall not exceed seventeen and nine tenths (17.90). There shall be no more than:

- 8.90 Teachers
- 8.00 Teacher Assistant
- 1.00 Clerk

SECTION 36. The number of employees in William D'Abate Elementary School shall not exceed forty five and seven tenths (45.70). There shall be no more than:

- 31.70 Teachers
- 11.00 Teacher Assistants
- 2.00 Clerks
- 1.00 Principal

SECTION 37. The number of employees in Carl Lauro Elementary School shall not exceed ninety five and two tenths (95.20). There shall be no more than:

- 65.90 Teachers
- 23.00 Teacher Assistants
- 4.20 Clerks
- 1.00 Principal
- 1.00 Assistant Principal
- 0.10 Physical Therapists

SECTION 38. The number of employees in Laurel Hill Avenue Elementary School shall not exceed forty four and thirty five hundredths (44.35). There shall be no more than:

- 31.40 Teachers
- 8.00 Teacher Assistants
- 2.00 Clerks
- 0.80 Principal
- 0.80 Assistant Principal
- 0.05 Physical Therapists
- 0.30 Occupational Therapists
- 1.00 Child Care Worker

SECTION 39. The number of employees in West Broadway Elementary School shall not exceed sixty two and sixty five hundredths (62.65). There shall be no more than:

42.50 Teachers  
 17.00 Teacher Assistants  
 2.00 Clerks  
 1.00 Principal  
 0.15 Physical Therapists

SECTION 40. The number of employees in Mary Fogarty Elementary School shall not exceed sixty seven and seven tenths (67.70). There shall be no more than:

42.20 Teachers  
 20.00 Teacher Assistants  
 2.00 Clerks  
 1.00 Principal  
 0.10 Physical Therapists  
 0.40 Occupational Therapists  
 2.00 Child Care Workers

SECTION 41. The number of employees in Laurel Hill Annex Elementary School shall not exceed twenty eight and one tenth (28.10). There shall be no more than:

15.60 Teachers  
 11.00 Teacher Assistants  
 1.00 Clerk  
 0.20 Principal  
 0.20 Assistant Principal  
 0.10 Occupational Therapists

SECTION 42. The number of employees in Robert F. Kennedy Elementary School shall not exceed fifty four and eighty five hundredths (54.85). There shall be no more than:

37.80 Teachers  
 12.00 Teacher Assistants  
 2.00 Clerks  
 1.00 Principal  
 0.05 Physical Therapists  
 2.00 Child Care Workers

SECTION 43. The number of employees in Edmund W. Flynn Annex Elementary School shall not exceed twenty three and seven tenths (23.70). There shall be no more than:

9.20 Teachers  
 11.00 Teacher Assistants  
 1.00 Clerk  
 0.20 Principal  
 0.20 Assistant Principal  
 2.00 Child Care Workers  
 0.10 Physical Therapists

SECTION 44. The number of employees in Reservoir Avenue Elementary School shall not exceed twenty nine and fifty five hundredths (29.55). There shall be no more than:

21.15 Teachers  
 6.00 Teacher Assistants  
 1.40 Clerk  
 0.50 Principal - 12 month  
 0.50 Assistant Principal

SECTION 45. The number of employees in Lillian Feinstein at Sackett Street Elementary School shall not exceed fifty six and nine tenths (56.90). There shall be no more than:

37.90 Teachers  
 15.00 Teacher Assistants  
 2.00 Clerks  
 1.00 Principal  
 1.00 Computer Management Specialist

SECTION 46. The number of employees in Veazie Street Elementary School shall not exceed sixty four and two tenths (64.20). There shall be no more than:

46.20 Teachers  
 17.00 Teacher Assistants  
 2.00 Clerks  
 1.00 Principal  
 1.00 Assistant Principal  
 0.40 Occupational Therapists  
 0.10 Physical Therapists  
 0.50 Certified Occupational Therapist Assistant  
 1.00 Child Care Worker

SECTION 47. The number of employees in Sgt. Cornel Young Jr. Elementary School shall not exceed thirty six and six tenths (36.60). There shall be no more than:

23.40 Teachers  
 11.00 Teacher Assistants  
 1.00 Clerk  
 1.00 Principal  
 0.10 Physical Therapists  
 0.10 Occupational Therapists

SECTION 48. The number of employees in Webster Avenue Elementary School shall not exceed forty six and fifty five hundredths (46.55). There shall be no more than:

32.30 Teachers  
 11.00 Teacher Assistants  
 2.00 Clerks  
 0.50 Principal - 12 months  
 0.50 Assistant Principal  
 0.20 Occupational Therapists  
 0.05 Physical Therapists

SECTION 49. The number of employees in Charlotte Woods Elementary School at B. Jae Clanton shall not exceed fifty, one and two tenths (51.20). There shall be no more than:

32.70 Teachers  
 15.00 Teacher Assistants

2.00 Clerks  
 1.00 Principal  
 0.50 Occupational Therapists

SECTION 50. The number of employees in Windmill Elementary School shall not exceed fifty three and nine tenths (53.90). There shall be no more than:

43.20 Teachers  
 7.00 Teacher Assistants  
 2.00 Clerks  
 0.80 Principal  
 0.80 Assistant Principal  
 0.10 Physical Therapists

SECTION 51. The number of employees in Dr. Martin Luther King, Jr. Elementary School shall not exceed sixty and seven tenths (60.70). There shall be no more than:

43.00 Teachers  
 14.00 Teacher Assistants  
 2.00 Clerks  
 1.00 Principal  
 0.10 Physical Therapist  
 0.60 Occupational Therapists

SECTION 52. The number of employees in the Department of Language and Culture shall not exceed five (5). There shall be no more than:

1.00 Director  
 1.00 Clerk  
 1.00 Technical Assistant  
**2.00 Teachers**

SECTION 53. The number of employees in the Student Registration Center shall not exceed fifteen (15). There shall be no more than:

3.00 Teachers  
 3.00 Aide Liasons

	2.00 Clerks		
	1.00 Facilitator		
	3.00 Placement Officers		
	1.00 Registration Specialist		
SECTION 54.	The number of employees in the Office of Teach and Learning shall not exceed two (2). There shall be no more than:		
	1.00 Chief Academic Officer		
	1.00 Clerk		
SECTION 55.	The number of employees in the Office of Data Processing shall not exceed two (2). There shall be no more than:		
	2.00 Clerks		
SECTION 56.	The number of employees in the Health Office shall not exceed seventeen (17). There shall be no more than:		
	1.00 Health Administrator		
	1.00 Clerk		
	4.00 Nurses		
	5.00 Child Care Workers		
	6.00 Non Certified Registered Nurses		
SECTION 57.	The number of employees in the Office of Alternative Programs shall not exceed seven and three hundredths (7.30). There shall be no more than:		
	1.00 Principal		
	1.00 Clerk		
	5.00 Teacher Assistants		
	0.30 Social Workers		
SECTION 58.	The number of employees in the Department of Educational Technology shall not exceed one (1). There shall be no more than:		
	1.00 Clerks		
SECTION 59.	The number of employees in the Office of the Chief Financial Officer shall not exceed two (2). There shall be no more than:		
	1.00 Chief Financial Officer		
	1.00 Clerk		
SECTION 60.	The number of employees in the Office of Medicaid & Federal Reimbursement shall not exceed two (2). There shall be no more than:		
	1.00 Medicaid Specialist		
	1.00 Clerk		
SECTION 61.	The number of employees in Nathanael Greene Middle School shall not exceed ninety and six tenths (90.60). There shall be no more than:		
	69.30 Teachers		
	11.00 Teacher Assistants		
	4.20 Clerks		
	1.00 Principal		
	2.00 Assistant Principals		
	1.00 Human Relations Specialist		
	0.10 Physical Therapists		
	1.00 Shower Matron		
	1.00 Child Care Worker		
SECTION 62.	The number of employees in Roger Williams Middle School shall not exceed ninety four and three tenths (94.30). There shall be no more than:		
	75.90 Teachers		
	9.00 Teacher Assistants		
	4.20 Clerks		
	1.00 Principal		
	2.00 Assistant Principals		
	2.00 Human Relations Specialists		
	0.20 Certified Occupational Therapist Assistant		

SECTION 63. The number of employees in Gilbert Stuart Middle School shall not exceed ninety four and eighty five hundredths (94.85). There shall be no more than:

- 69.60 Teachers
- 13.00 Teacher Assistants
- 4.20 Clerks
- 1.00 Principal
- 2.00 Assistant Principals
- 2.00 Human Relations Specialists
- 7.00 Parent Coordinator**
- 0.05 Physical Therapists
- 1.00 Computer Management Specialist

SECTION 64. The number of employees in Nathan Bishop Middle School shall not exceed eighty three and five tenths (83.50). There shall be no more than:

- 64.20 Teachers
- 11.00 Teacher Assistants
- 4.20 Clerks
- 1.00 Principal
- 2.00 Assistant Principals
- 1.00 Human Relations Specialist
- 0.10 Certified Occupational Therapist Assistant

SECTION 65. The number of employees in Samuel W. Bridgham Middle School shall not exceed eighty five and one tenth (85.10). There shall be no more than:

- 60.00 Teachers
- 12.00 Teacher Assistants
- 4.20 Clerks
- 1.00 Principal
- 2.00 Assistant Principals
- 0.30 Physical Therapists
- 3.00 Child Care Worker
- 1.00 Human Relations Specialist

- 1.00 Computer Management Specialist
- 0.60 Certified Occupational Therapist Assistant

SECTION 66. The number of employees in Esek Hopkins Middle School shall not exceed sixty six (66). There shall be no more than:

- 50.80 Teachers
- 7.00 Teacher Assistants
- 4.20 Clerks
- 1.00 Principal
- 2.00 Assistant Principals
- 1.00 Human Relations Specialist

SECTION 67. The number of employees in Oliver Hazard Perry Middle School shall not exceed ninety three and eight tenths (93.80). There shall be no more than:

- 71.40 Teachers
- 13.00 Teacher Assistants
- 4.20 Clerks
- 1.00 Principal
- 2.00 Assistant Principals
- 1.00 Human Relations Specialist
- 1.00 Computer Management Specialist
- 0.10 Physical Therapists
- 0.10 Certified Occupational Therapist Assistant

SECTION 68. The number of employees in George J. West Elementary School shall not exceed seventy five and nine tenths (75.90). There Shall be no more than:

- 53.50 Teachers
- 16.00 Teacher Assistants
- 3.00 Clerks
- 1.00 Principal
- 1.00 Assistant Principal
- 0.40 Occupational

Therapists  
 1.00 Child Care Worker

SECTION 69. The number of employees in Springfield Middle School shall not exceed fifty two and nine tenths (52.90). There shall be no more than:

39.40 Teachers  
 7.00 Teacher Assistants  
 3.20 Clerks  
 1.00 Principal  
 1.00 Assistant Principal  
 1.00 Human Relations Specialist  
 0.20 Occupational Therapists  
 0.10 Physical Therapists

SECTION 70. The number of employees in Times<sup>2</sup> Academy shall not exceed sixteen (16). There shall be no more than:

14.90 Teachers  
 1.00 Clerk  
 0.10 Certified Occupational Therapist Assistant

SECTION 71. The number of employees in Christopher and Lola Delsesto Middle School shall not exceed fifty three and one tenth (53.10). There shall be no more than:

37.90 Teachers  
 9.00 Teacher Assistants  
 3.00 Clerks  
 1.00 Principal  
 1.00 Assistant Principal  
 1.00 Human Relations Specialist  
 0.20 Occupational Therapists

SECTION 72. The number of employees in Central High School shall not exceed one hundred eighty one and eight tenths (181.80). There shall be no more than:

138.10 Teachers  
 21.00 Teacher Assistants  
 10.50 Clerks  
 1.00 Director  
 1.00 Principal  
 1.00 Dean of Teaching and Learning  
 4.00 Assistant Principals  
 2.00 Human Relations Specialists  
 1.00 ROTC Officer  
 0.10 Physical Therapists  
 2.00 Child Care Worker  
 0.10 Certified Occupational Therapist Assistant

SECTION 73. The number of employees in Classical High School shall not exceed ninety one and five tenths (91.50). There shall be no more than:

77.00 Teachers  
 1.00 Teacher Assistant  
 8.50 Clerks  
 1.00 Principal  
 3.00 Assistant Principals  
 1.00 Computer Management Specialist

SECTION 74. The number of employees in Hope High School shall not exceed one hundred fifty four and sixty five hundredths (154.65). There shall be no more than:

110.85 Teachers  
 19.00 Teacher Assistants  
 10.50 Clerks  
 1.00 Principal  
 3.00 Directors  
 3.00 Assistant Principals  
 0.10 Physical Therapists  
 2.00 Human Relations Specialists  
 3.00 Child Care Workers  
 1.00 Computer Management Specialist  
 1.20 Certified Occupational Therapist Assistant

SECTION 75. The number of employees in Mount Pleasant High School shall not exceed one hundred fifty two and four tenths (152.40). There shall be no more than:

- 115.80 Teachers
- 19.00 Teacher Assistants
- 9.50 Clerks
- 1.00 Principal
- 4.00 Assistant Principals
- 2.00 Human Relations Specialists
- 0.10 Physical Therapists
- 1.00 Child Care Worker

SECTION 76. The number of employees in Feinstein High School shall not exceed forty and thirty five hundredths (40.35). There shall be no more than:

- 32.40 Teachers
- 2.00 Teacher Assistants
- 2.70 Clerks
- 1.00 Principal
- 1.00 Dean of Teaching and Learning
- 1.00 Computer Management Specialist
- 0.20 Occupational Therapists
- 0.05 Physical Therapists

SECTION 77. The number of employees in Textron Chamber Academy shall not exceed eighteen and seven tenths (18.70). There shall be no more than:

- 15.70 Teachers
- 1.00 Teacher Assistant
- 1.00 Clerk
- 1.00 Director

SECTION 78. The number of employees in the Providence Academy of International Studies shall not exceed twenty nine and six tenths (29.60). There shall be no more than:

- 1.00 Director
- 24.10 Teachers
- 1.00 Dean
- 2.50 Clerks
- 1.00 Teacher Assistant

SECTION 79. The number of employees in the Alternate Learning Project shall not exceed twenty one and ninety five hundredths (21.95). There shall be no more than:

- 18.45 Teachers
- 1.00 Teacher Assistant
- 1.50 Clerks
- 1.00 Director

SECTION 80. The number of employees in the Health Science & Technology Academy shall not exceed twenty seven and seventy five hundredths (27.75). There shall be no more than:

- 1.00 Director
- 1.00 Dean
- 23.25 Teachers
- 2.50 Clerks

SECTION 81. The number of employees in the Harrison Street High School shall not exceed twenty five (25). There shall be no more than:

- 1.00 Principal
- 1.00 Assistant Principal
- 21.00 Teachers
- 2.00 Clerks

SECTION 82. The number of employees in the Office of Curriculum, Instruction and Bilingual shall not exceed two (2). There shall be no more than:

- 1.00 Assistant Superintendent of Curriculum, Instruction and Professional Development
- 1.00 Clerk

- SECTION 83. The number of employees in the Department of Social Studies shall not exceed one and five hundredths (1.50). There shall be no more than:
- 1.00 Teacher  
0.50 Clerk
- SECTION 84. The number of employees in the Mathematics Department shall not exceed three (3). There shall be no more than:
- 2.00 Teachers  
1.00 Clerk
- SECTION 85. The number of employees in the Science Department shall not exceed two (2). There shall be no more than:
- 1.00 Teacher  
1.00 Clerk
- SECTION 86. The number of employees, in the Office of Research and Assessment shall not exceed five (5). There shall be no more than:
- 1.00 *Director*  
1.00 *Facilitator of Accountability*  
1.00 *Assessment Specialist for Adequate Yearly Progress*  
1.00 *Data Media Specialist*  
1.00 *Clerk*
- SECTION 87. The number of employees in the Office of Dropout Prevention shall not exceed two (2). There shall be no more than:
- 1.00 Director  
1.00 Clerk
- SECTION 88. The number of employees in the Office of Fine Arts shall not exceed one and five hundredths (1.50). There shall be no more than:
- 1.00 Teacher  
0.50 Clerk
- SECTION 89. The number of employees in the Office of Health/Physical Education shall not exceed four (4). There shall be no more than:
- 2.00 Teachers  
1.00 Administrator  
1.00 Clerk
- SECTION 90. The number of employees in the Office of Guidance and Social Services shall not exceed two (2). There shall be no more than:
- 1.00 Director  
1.00 Clerk
- SECTION 91. The number of employees in the Office of Information Services shall not exceed five (5). There shall be no more than:
- 1.00 Director  
1.00 Clerk  
1.00 Computer Management Specialist  
1.00 Technology Expediter  
1.00 E-Mail Administrator
- SECTION 92. The number of employees in the Providence Place Mall Academy shall not exceed fifteen and sixty five hundredths (15.65). There shall be no more than:
- 13.55 Teachers  
1.00 Principal  
1.00 Clerk  
0.10 Certified Occupational Therapist Assistant

SECTION 93. The number of employees in the Office of Gifted and Talented Programs shall not exceed one and five hundredths (1.50). There shall be no more than:

- 1.00 Teacher
- 0.50 Clerk

SECTION 94. The number of employees in the Office of Instructional Technology shall not exceed one and five hundredths (1.50). There shall be no more than:

- 1.00 Director.
- 0.50 Clerk

SECTION 95. The number of employees in the Office of Literacy shall not exceed six (6). There shall be no more than:

- 3.00 Teachers
- 1.00 Teacher Assistant
- 2.00 Clerks

SECTION 96. The number of employees in the Office of Middle Level Education shall not exceed two (2). There shall be no more than:

- 1.00 Director
- 1.00 Clerk

SECTION 97: The number of employees in the Office of Governmental Relations and Public Engagements shall not exceed two (2). There shall be no more than:

- 1.00 Director
- 1.00 Clerk

SECTION 98: The number of employees in the Office Instructional Planning and Improvement shall not exceed two (2). There shall be no more than:

- 1.00 Director
- 1.00 Clerk

SECTION 99: The number of employees in the Office Federal Programs shall not exceed eleven (11). There shall be no more than:

- 1.00 Director of Elementary School Improvement Reform
- 1.00 Director of External Funding
- 1.00 Director of High School Initiatives
- 1.00 Facilitator of Youth Development.
- 1.00 Coordinator of Grant Oversight and External Funding
- 1.00 Elementary Reform Facilitator
- 1.00 Child Opportunity Zone Specialist
- 1.00 No Child Left Behind Compliance Officer
- 1.00 Early Childhood Coordinator
- 2.00 Clerks

SECTION 100. The number of employees in the Office Food Service shall not exceed (2). There shall be no more than:

- 1.00 Supervisor of Food Services
- 1.00 Clerk

## ORDINANCES SECOND READING

**The Following Ordinances were in City Council April 20, 2004, Read and Passed the First Time and are Severally Returned for Passage the Second Time, As Amended:**

An Ordinance Establishing a Tangible Tax Stabilization Plan for Abaqus, Inc.

*Be it ordained by the City of Providence:*

*Whereas*, the City Council, pursuant to the General Laws of the State of Rhode Island, as amended, has the authority to exempt and/or stabilize property taxes for property owners if the granting of the exemption and/or stabilization meets certain conditions set forth in applicable provisions of the General Laws of the State of Rhode Island and the Code of Ordinances of the City of Providence; and

*Whereas*, the City Council enacted Section 21-170.1 of the Code of Ordinances of the City of Providence, pursuant to RIGL 44-3-31.2, whereby eligible properties, defined as properties designated on the landmark list as part of the mill restoration program and the arts and entertainment district in the City of Providence as approved by the City Council and certified by the City building inspector as in need of substantial rehabilitation, may be provided tax considerations, upon application, for a period beginning with the assessments of December 31, 2000 up to and including December 31, 2011, so that the annual taxes on the eligible and approved land and buildings for this period shall equal the taxes based on the assessment date of December 31, 2000 for the tax year 2001, regardless of

any increase in value attributable to the substantial rehabilitation undertaken, provided such rehabilitation commences prior to December 31, 2005, with any business or businesses located in such eligible and approved property or moving to such property from outside the City of Providence being considered, by application, for a tax program taxing their tangible personal property at the rate of \$33.44 per thousand dollars of assessed value for the same period as discussed above; and,

*Whereas*, Abaqus, Inc., currently located outside of the City of Providence, intending to become a commercial tenant at 166 Valley Street, Providence, Rhode Island, which real property and improvements thereon are designated on the landmark list of the mill restoration program, has made application under Section 21-170.1 of the Code of Ordinances of the City of Providence for tax stabilization and has satisfied each condition of Section 21-170.1 of the Code of Ordinances of the City of Providence in relation to its Abaqus, Inc. Valley Street Project, as defined below; and

*Whereas*, it is in the public interest to provide and attract new commercial uses as envisioned in the Abaqus, Inc. Valley Street Project; and

Whereas, the Abaqus, Inc. Valley Street Project entails the leasing, improving and occupying of approximately 73,000 square feet for office space, expandable to 98,000 square feet, bringing approximately 230 employees to the City of Providence, with an expectation of an additional 100 employees over the next 5 years, all located on Lots 282, 301 and 393 of Assessor's Plat 62, being the Rising Sun Mills Projects;

Whereas, the City Council has determined that the Abaqus, Inc., Valley Street Project will assist the City of Providence in its mill restoration program by renovating and occupying buildings designated on its landmark list;

Whereas, the City Council has determined it is in the interest of the residents of the City of Providence to grant such tax stabilization to induce the renovation and occupation by employers of mill buildings in the City, and such tax stabilization will inure to the long-term benefit of the City;

*Be it ordained by the City of Providence:*

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

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

(a) "Commencement Date" means the date of passage of this ordinance.

(b) "Personal Property" means any and all fixtures, including leasehold improvements, now or hereafter located at the Project Site, as hereinafter defined.

(c) "Project" means the Abaqus, Inc. Valley Street Project as identified in Exhibit A.

(d) "Project Owner" means Abaqus, Inc. or any successor permitted hereunder.

(e) "Project Site" means the land, as well as improvements found thereon, designated as Assessor's Plat 62, Lots 282, 301 and 393 located at 166 Valley Street, Providence, Rhode Island, as leased by Project Owner.

(f) "Project Taxable Properties" means, collectively, the leasehold improvements at the Project Site, as proposed, and the Personal Property, together constituting the Project, hereinafter defined.

(g) "Stabilized Tax Payment" means, with respect to the Project Taxable Properties, the amounts listed on the attached schedule found on Exhibit B.

(h) "Termination Date" means June 30 of the year in which Stabilized Tax Payments based on the December 31, 2011 assessment date are to be paid in full.

Section 3. Term. The term of the tax stabilization hereby granted shall be for a period commencing on the Commencement Date and terminating on the Termination Date all as more particularly described on Exhibit B.

Section 4. Transfer. As long as Project Owner leases or operates the Project Site, it will continue to make the Stabilized Tax Payment(s) as set forth in Exhibit B during the term of this tax stabilization agreement. Project Owner, its successors and assigns, agrees that this Project Site will be subject to taxation, without regard to tax stabilization, as of the Termination Date and thereafter.

Notwithstanding anything to the contrary herein the provisions of this Section 4 shall continue to be given full force and effect until such time as the same shall be amended or terminated by majority vote of the City Council of Providence.

Section 5. Payment of Taxes. (a) Project Owner shall make Stabilized Tax Payment(s) as prescribed in the attached schedule set forth in Exhibit B to the City of Providence in lieu of all other taxes on the Project Taxable Properties and the City agrees to accept the Stabilized Tax Payments in lieu of all other taxes on the Project Taxable Properties.

(b) Stabilized Tax Payments due to the City, 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 and similarly subject to interest and late fee penalties if not timely made.

(c) It is understood by the parties that the Stabilized Tax Payment(s) 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.

(d) The liability for Stabilized Tax Payments due and owing under this agreement shall constitute an obligation of Project Owner, and the City shall be granted by the Project Owner a lien on the Project Taxable Properties.

Section 6. Satisfaction of Obligations. The City agrees that so long as the Stabilized Tax Payment(s) are made by the Project

Owner in accordance with the terms of this agreement, the City 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 which would otherwise be levied upon or with respect to the Project Taxable Properties.

Section 7. Minority and Local Contractors. It shall be the goal and the Project Owner shall use its best efforts to hire minority contractors and subcontractors and to purchase equipment from entities which/who are situated in and/or are residents of the City of Providence.

Section 8. Employment. It shall be the goal and the Project Owner shall use its best efforts to hire employees who are residents in the City of Providence.

Section 9. Basis of Calculation. The schedule listed in Exhibit B is based, in part, upon information provided to the tax assessor of the City of Providence by Project Owner, using the tax rate of \$33.44 per thousand dollars of tangible valuation as of each assessment date of the term of this agreement. Assessments are undertaken on December 31<sup>st</sup> of each year for tangible property within the City of Providence. In the event any of this information is inaccurate or proves to be erroneous, this treaty shall be modified to reflect the accurate information.

Section 10. 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 treaty. Failure to make timely payments may render this treaty null and

voice at the sole discretion of the City Council.

Section 11. Reporting and Monitoring. Project Owner shall, not less than sixty (60) days after the end of each fiscal year of the Project Owner, submit to the Director, Department of Planning and Development of the City of Providence, a report will that provide evidence of compliance with Sections 7 and 8 hereof on forms provided by said director for said purpose. The Director may require additional information to demonstrate compliance.

Section 12. Penalties. In the event that Project Owner does not comply with any of its provisions, upon the written declaration of non-compliance from the Director of the Department of Planning and Development, City of Providence, this tax stabilization agreement shall be immediately rendered null and void and the full tax which would otherwise have become due and payable, plus interest and penalties as provided by law, shall become immediately due and payable.

Section 13. 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 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 14. Applicable Law. This agreement shall be construed under the laws of the State of Rhode Island.

Section 17. Effective Date. This Ordinance shall take effect upon its passage.

An Ordinance Establishing and Granting a Tax Stabilization Plan for Promenade Building Associates, LLC, with respect to Assessor's Plat 67, Lot 554 of the City of Providence.

*Be it ordained by the City of Providence:*

*Whereas,* the City Council, pursuant to Section 44-3-9 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, 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 which will result in 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, pursuant to R.I. Gen. Laws Sec. 44-3-9, as amended, has the authority to exempt and/or stabilize said taxes for a term not to exceed twenty (20) years; and

*Whereas,* PROMENADE BUILDING ASSOCIATES, LLC (defined below as the "Project Owner") has made application for tax stabilization under said Rhode Island General Laws and applicable ordinances of the City of Providence, as set forth in Exhibit A attached hereto and incorporated by reference, and has satisfied each condition of same; and

*Whereas,* there is underdeveloped land located variously at 50 Holden Street and

West Park Street, more specifically described as Assessor's Plat 67, Lot 554, being part of The Foundry, so-called, in the City of Providence; and

*Whereas*, the Project Owner has evidenced a willingness to construct a multilevel automotive parking space structure for approximately four hundred (400) motor vehicles (defined below as the "Project") for use in conjunction with The Promenade, so-called, an apartment complex to be developed in The Foundry.

*Whereas*, the Project will cause an increase in the tax base of the City of Providence and permit the development of The Promenade, which will, in turn cause an increase in the tax base of the City of Providence, and will thereby increase employment opportunities in the City of Providence; and

*Whereas*, the City Council has determined it is in the best interest of the residents of the City of Providence to grant such tax stabilization to induce the development of The Foundry, 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.

(c) "Project" means the Project Site (as hereinafter defined), the Real Property Improvements (as hereinafter defined), and Personal Property.

(d) "Project Owner" means PROMENADE BUILDING ASSOCIATES, LLC, or any successor approved by the Director of Planning and Development of the City of Providence pursuant to this ordinance.

(e) "Project Site" means the property located variously at 50 Holden Street and West Park Street, more specifically described as Assessor's Plat 67, Lot 554, being part of The Foundry, so-called, in the City of Providence.

(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 Improvement" means all structure, buildings, renovations and improvements currently proposed to be located at the Project Site. Any material additional improvements, excluding customary repairs and renovations, shall require an amendment to this ordinance, except as provided herein.

(h) "Stabilized Assessment" means:

(1) Project Site together with any and all existing infrastructure improvements thereon shall be the City of Providence tax

assessment value as shown on Exhibit B attached hereto and incorporated by reference.

(2) the Real Property Improvements shall be assessed at \$3,000,000 with each additional parking space over the contemplated four hundred (400) being assessed at a value of \$7,500.00.

(i) "Stabilized Tax Payment" means, with respect to the Project Taxable Properties, the amounts listed in the schedule attached hereto as Exhibit B.

(j) "Stabilized Tax Rate" shall mean \$38.82 per \$1,000.00 of assessed valuation for Real Property Improvements and \$49.68 per \$1,000.00 of assessed valuation for Personal Property,

(k) "Termination Date" means June 30<sup>th</sup> of the year in which Stabilized Tax Payments based on the December 31, 2012 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 the Stabilized Assessment at the Stabilized Tax Rate in accordance with Exhibit B as attached for the period commencing with the December 31, 2003 assessment date through the December 31, 2012 assessment date.

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, as more particularly described on Exhibit B hereof, unless earlier terminated as provided herein.

Section 5. Taxation, Tax Exempt Entities, and Condominiums. Project Owner will continue to make the Stabilized Tax Payment(s) as set forth in Exhibit B during the term of this tax stabilization agreement. Project Owner agrees that this Project Site will be subject to taxation, without regard to 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 or to allow any transfer by approved, subsequent transferee to any tax-exempt entity during the term of this agreement to stabilize taxes. Project Owner is also 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 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, despite the prohibition against such transfer, whether by PROMENADE BUILDING ASSOCIATES, LLC, or any approved transferee of such property, PROMENADE BUILDING ASSOCIATES, LLC, 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 which would have been paid to the City of Providence if such prohibition against transfer to a tax-exempt entity had not been violated. In the event that Project Owner shall divide the Project Site or any portion thereof into "parking space" condominiums, said condominiums shall no longer be covered under this ordinance and shall be subject to taxation without regard to any tax stabilization agreement. Notwithstanding anything to the contrary herein, the provisions of this Section 5 shall continue to be given full force and effect until such time

as the same shall be amended or terminated by majority vote of the City Council of the City of Providence.

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 schedule attached in Exhibit B to the City, 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.

(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.

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 25% of the total dollar value of construction to Minority Business Enterprises ("MBEs") and Women Business Enterprises ("WBEs"). These are enterprises with at least 51% of business ownership by a minority (Black, Hispanic, American Indian,

or of a group found to be economically or socially disadvantaged by the Small Business Administration) or a woman, as certified by state agency or by the Director of the Department of Planning and Development, City of Providence. The total fee and non-biddable "General Conditions" of the prime contractor, if any will be deducted from the calculation. The Project Owner will use its best efforts to reduce the size of bid packages where possible so as to maximize accessibility of contract work to small contractors from the community or instruct its prime contractor, if any, to do so.

It is the intent of the parties that the participation of each element of business enterprise not fall below twelve and a half (12.5%) percent.

Section 9. Employment. 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, 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. It is understood that Project owner shall entered into an agreement whereby the project owner of The Promenade such support, participate and use its best

efforts with respect to the Project Owner's obligation hereunder.

Section 10. Support for Affordable Housing. (a) Project Owner and all successors and assigns shall make a \$110,000.00 contribution to the Providence Redevelopment Authority to support affordable housing, economic development and community services as follows: \$11,000.00 to be contributed on each of June 30, 2004, 2005, 2006, 2007, 2008., 2009, 2010, 2011, 2012, and 2013.

The contributions made by Project Owner shall be directed to a trust for the development of affordable housing, economic development and/or community services with a preference for affordable housing, economic development and community services in the Smith Hill section, so-called, of the City of Providence.

Section 11. Purpose. The City of Providence has entered into this tax treaty to support construction of and to provide residential units in the City of Providence and to increase its tax base as a result of such construction. This treaty shall be in effect during its term as long as the property is utilized primarily for the Project and failure to use the Project Site primarily for such purposes renders the treaty null and void. This ordinance does not extend to support any building or buildings used as a "dormitory" or an "apartment dormitory." purpose the use of any building or portion of a building to support or for "dormitory" or "apartment dormitory" 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.

Section 12. Basis of Calculation. The schedule listed in Exhibit B 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, 2004. Failure to begin construction by December 31, 2004 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.

Section 13. 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 treaty. Failure to make timely payments may render this treaty null and void.

Section 14. Assignment. Notwithstanding any to the contrary contained herein, this tax treaty is not assignable by Project Owner without the express written consent of the Director, Department of Planning and Development, City of Providence, which consent shall be unreasonably withheld.

Section 15. Reporting and Monitoring. Project Owner shall, not less than sixty (60) days after the end of each fiscal year of the Project Owner, submit to the Director, Department of Planning and Development of the City of Providence, a report that will provide evidence of compliance with Sections 8, 9 and 10 hereof on forms provided by said director for said purpose. The director may require additional information to demonstrate compliance.

Section 16. Penalties and Petition for Relief. In the event that Project Owner does not comply with any and/or all of the provisions of this ordinance, the Director of the Department of Planning and Development, City of Providence, 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, 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, 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 17. 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 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 18. Applicable Law. This agreement shall be construed under the laws of the State of Rhode Island.

Section 19. Effective Date. This ordinance shall take effect upon its passage.

**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, COUNCILMEN ALLEN, APONTE, BUTLER, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON**

**MANCINI, COUNCILWOMEN ROMANO and COUNCILWOMEN WILLIAMS and YOUNG-14.**

**NAYES: COUNCILMAN DeLUCA Requests to be recorded as Voting "No" on the following Ordinances "An Ordinance in Amendment of Ordinance No. 645, Chapter 2002-42 Entitled: "An Ordinance Relating to Tax Stabilization for Stanley Weiss Associates, LLC, As Amended,"- "An Ordinance Establishing a Tangible Tax Stabilization Plan for Abaqus, Inc.", An Ordinance Establishing and Granting a Tax Stabilization Plan for Promenade Building Associates, LLC, with respect to Assessor's Plat 67, Lot 554 of the City of Providence."**

**ABSENT: COUNCILMAN SEGAL-1.**

**The motion for Passage the Second Time is Sustained.**

## **APPOINTMENTS BY HIS HONOR THE MAYOR**

Communication dated April 29, 2004, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1104 of the Providence Home Rule Charter of 1980, as amended, he is this day re-appointing Mr. Bernard V. Buonanno of 100 Freeman Parkway, Providence, Rhode Island 02906, as a member of the Civic

Center Authority (DBA - Dunkin Donuts Center) for a term to expire in May 2007.

**Received.**

Communication dated April 29, 2004, Informing the Honorable Members of the City Council that pursuant to Section 302(b)

of the Providence Home Rule Charter of 1980, as amended, and Section 46-25-6 of the Rhode Island General Law, he is this day re-appointing Mr. Alessandro Montanari of 31 Foch Avenue, Providence, Rhode Island 02904, as a member of the Narragansett Bay Water Quality Management District Commission for a term to expire in April 2006.

**Received.**

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Communication dated April 12, 2004, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended, and Section 42-63.1-11 of the Rhode Island General Laws, he is this day appointing Mr. Jonathan Shisler, General Manager of the Providence Biltmore Hotel, Providence, Rhode Island 02903, to the

Greater Providence-Warwick Convention and Visitors Bureau for a term to expire on June 30, 2007. (Mr. Shisler will be replacing Ms. Deborah Giachino who has resigned).

**Received.**

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Communication, dated April 16, 2004, Informing Michael R. Clement, City Clerk that he is this day appointing Sybil Bailey, Director of Human Resources and John Simmons, Chief of Administration to the Commission on Residency.

**Received.**

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

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## PRESENTATION OF ORDINANCES

**COUNCILMAN APONTE (By Request):**

An Ordinance in Amendment of Ordinance No. 85, Chapter 1997-18 Entitled: "An Ordinance to Adopt the ProvPort, Inc. Tax Exemption Agreement, As Amended.

**COUNCIL PRESIDENT LOMBARDI**  
**Refers the Ordinance to the Committee on Finance.**

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**COUNCILMAN HASSETT:**

An Ordinance in Amendment of Section 16-123 Chapter Sixteen of the Code of Ordinances Entitled: "Offenses and Miscellaneous Provisions."

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An Ordinance Amending Section 16-129 In Article IV of Chapter 16 of the Code of Ordinances Entitled: "Offenses and Miscellaneous Provisions."

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

**COUNCIL PRESIDENT LOMBARDI, Refers the Several Ordinances to the Committee on Ordinances.**

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**COUNCILMAN JACKSON and COUNCILMAN APONTE (By Request):**

An Ordinance in Amendment of Chapter 2003-41, Approved July 31, 2003, of the Ordinances of the City of Providence Making an Appropriation of Five Hundred Fifty Four Million, One Hundred Seventy One Thousand, Twenty Dollars (\$554,171,020) for the Fiscal Year Ending June 30, 2004, As Amended.

An Ordinance in Amendment of Chapter 2004-7, Approved February 1, 2004, Establishing a Compensation Plan for the City of Providence, As Amended.

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**COUNCILMAN SEGAL:**

An Ordinance Requiring Employers to post information on the Earned Income Credit in their workplaces.

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

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

## PRESENTATION OF RESOLUTIONS

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

Resolution Extending Sincere Best Wishes for a Happy Birthday to Councilwoman Balbina A. Young on May 12, 2004.

*Resolved,* that the Members of the Providence City Council hereby Extend Sincere Best Wishes for a Happy Birthday to Councilwoman Balbina A. Young on May 12, 2004.

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

**The Motion for Passage is Sustained.**

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**COUNCILMAN APONTE and COUNCILMAN HASSETT:**

Resolution Requesting the Transfer of Assessor's Plat 53, Lot 31 (1043 Broad Street) to the Providence Redevelopment Agency, which the PRA will lease the property to Project Basic (a non profit) for One Dollar (\$1.00) per year.

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

**COUNCILMAN DeLUCA and COUNCILMAN APONTE:**

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2004-H 7905, Relative to Education - School Department Employees.

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2004-H 7861, Relative to Labor and Labor Relations - Labor Relations Act.

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

**COUNCIL PRESIDENT LOMBARDI, Refers the Several Resolutions to the Committee on State Legislation.**

**COUNCILWOMAN DiRUZZO (By Request):**

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 62, Lot 586 (45 Appleton Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Five Thousand Six Hundred Eighty Seven Dollars and Seventeen (\$5,687.17) Cents, or any taxes accrued, including 2002 taxes, plus any interest accrued, at the request of the Olneyville Housing Corporation.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 62, Lot 355 (50 Appleton Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Four Thousand Eighty Three Dollars and Ninety Five (\$4,083.95) Cents, or any taxes accrued, including 2002 taxes, plus any interest accrued, at the request of the Olneyville Housing Corporation.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 62, Lot 86 (89 Appleton Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Five Hundred Ninety One Dollars and Ninety Four (\$591.94) Cents, or any taxes accrued, including 2002 taxes, plus any interest accrued, at the request of the Olneyville Housing Corporation.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 62, Lot 585 (2 Bowdoin Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Three

Thousand Nine Hundred Forty Dollars and Fifty Two (\$3,940.52) Cents, or any taxes accrued, including 2002 taxes, plus any interest accrued, at the request of the Olneyville Housing Corporation.

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Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 62, Lot 579 (26 Bowdoin Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Three Thousand Eight Hundred Eight Dollars and Ten (\$3,808.10) Cents, or any taxes accrued, including 2002 taxes, plus any interest accrued, at the request of the Olneyville Housing Corporation.

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Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 62, Lot 588 (43-45 Florence Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Five Thousand Three Hundred Forty Nine Dollars and Two (\$5,349.02) Cents, or any taxes accrued, including 2002 taxes, plus any interest accrued, at the request of the Olneyville Housing Corporation.

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Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 62, Lot 587 (49-51 Florence Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Two Thousand Five Hundred Sixty Dollars and Forty Eight (\$2,560.48) Cents, or any taxes accrued, including 2002 taxes, plus any interest accrued, at the request of the Olneyville Housing Corporation.

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Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 62, Lot 595 (54 Julian Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Four Thousand Five Hundred Thirteen Dollars and Thirty Four (\$4,513.34) Cents, or any taxes accrued, including 2002 taxes, plus any interest accrued, at the request of the Olneyville Housing Corporation.

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Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 62, Lot 596 (56 Julian Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Four Thousand Five Hundred Forty Three Dollars and Seventy Seven (\$4,543.77) Cents, or any taxes accrued, including 2002 taxes, plus any interest accrued, at the request of the Olneyville Housing Corporation.

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Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 62, Lot 583 (99 Julian Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Four Thousand Seven Hundred Twenty Six (\$4,726.00) Dollars, or any taxes accrued, including 2002 taxes, plus any interest accrued, at the request of the Olneyville Housing Corporation.

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Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 62, Lot 584 (103 Julian Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Four Thousand Nine Hundred Fifty Dollars and Fourteen (\$4,950.14) Cents, or any taxes accrued, including 2002 taxes, plus any

interest accrued, at the request of the Olneyville Housing Corporation.

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Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 62, Lot 75 (109 Julian Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Four Thousand Six Hundred Thirty Dollars and Ninety Eight (\$4,630.98) Cents, or any taxes accrued, including 2002 taxes, plus any interest accrued, at the request of the Olneyville Housing Corporation.

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Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 62, Lot 593 (18 Putnam Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Four Thousand Seven Hundred Seventy Five Dollars and Thirty Five (\$4,775.35) Cents, or any taxes accrued, including 2002 taxes, plus any interest accrued, at the request of the Olneyville Housing Corporation.

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Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 62, Lot 594 (24 Putnam Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Five Thousand One Hundred Thirteen Dollars and Forty Seven (\$5,113.47) Cents, or any taxes accrued, including 2002 taxes, plus any interest accrued, at the request of the Olneyville Housing Corporation.

**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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**COUNCILMEN HASSETT, IGLIOZZI and COUNCIL PRESIDENT LOMBARDI:**

Resolution Authorizing the payment in the amount of \$10,000.00 representing additional costs, to R. Kelly Sheridan, Legal Counsel to the Providence City Council for purposes of rendering a legal opinion concerning the Personnel Contract for the Chief of Police.

*Resolved,* That the Members of the City Council hereby Authorizes payment in the amount of \$10,000.00 representing additional costs, to R. Kelly Sheridan, Legal Counsel to the Providence City Council for purposes of rendering a legal opinion concerning the Personnel Contract for the Chief of Police.

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

**COUNCILMAN ALLEN is recorded as voting "NO"**

**The Motion for Passage is Sustained.**

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**COUNCILMAN HASSETT (By Request):**

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along various streets on various dates and times, to accommodate the 2004 WaterFire Season.

*Resolved,* That the Traffic Engineer is hereby requested to prohibit motor vehicle

traffic along various streets on various dates and times, to accommodate the 2004 WaterFire Season.

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Resolution Extending Sincere Congratulations to Sergeant Patrick Camp for his successful tour of duty in IRAQ in his unselfish dedication to the United States of Armed Forces.

*Resolved*, that the Providence City Council hereby Extends Sincere Congratulations to Sergeant Patrick Camp for his successful tour of duty in IRAQ in his unselfish dedication to the United States of Armed Forces.

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**COUNCILMAN LUNA and COUNCILMAN SEGAL:**

Resolution Urging Passage of the USA PATRIOT Act Resolution by the Rhode Island General Assembly.

*Whereas*, The Providence City Council passed a resolution on December 14, 2003 calling on our United States Representatives and Senators to monitor the implementation of the USA PATRIOT Act and related Executive Orders and to actively work for the repeal of the Act or those sections of the Act including Executive Orders that violate fundamental rights and liberties as stated in the United States Constitution and Amendments; and

*Whereas*, The General Assembly of the State of Rhode Island is currently considering a similar resolution to address the various conflicts contained within certain provisions of the USA PATRIOT Act; and

*Whereas*, The States of Alaska, Hawaii, Maine and Vermont, the District of Columbia, and 289 cities and towns throughout the United States, including New York and Chicago, have passed resolutions opposing the said provisions.

*Now, therefore, be it resolved*, That the City Council of the City of Providence supports the proposed state resolution and urges the Honorable Members of the General Assembly to join the municipalities of Middletown, New Shoreham, North Providence, Providence and South Kingstown in reaffirming the rights and civil liberties of all Rhode Islanders by voting for passage of the USA PATRIOT Act resolution

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**COUNCILMAN LUNA:**

Resolution in Honor of Shirley Craighead.

*Whereas*, Shirley Craighead was a family child-care provider for more than 30 years; and

*Whereas*, She served for 10 years as a member of the State of Rhode Island's Permanent Legislative Commission on Child Care; and

*Whereas*, Ms. Craighead, a longtime resident of Providence, was a renowned advocate of racial equality and workers' rights; and

*Whereas*, She was a board member and former chairperson of Direct Action for Rights and Equality (DARE), and was a founding member of DARE's Day Care Justice Co-op, which continues to lobby for improved benefits for child care workers; and

*Whereas*, She was recognized locally and nationally as a crusader for economic and racial justice; and

*Whereas*, Her commitment and efforts are highlighted in her numerous awards and honors, which include the Leadership Award from DARE; the Pioneer Award from Day Care Justice Co-op; the Joe Cardoza Unsung Hero Award from West Elmwood Housing; and the Feather Award from the Rhode Island Department of Human Services; and

*Whereas*, She has been recognized and honored by numerous leaders in local government throughout the years; and

*Whereas*, Her life is a model of dedication and service, working to inspire all those whose lives she touched; and

*Whereas*, Her husband, son, two daughters, three grandchildren, seven great-grandchildren and entire family grieve and mourn her loss; and

*Whereas*, She will be deeply missed by her family, friends, and the community at-large.

*Now, therefore, be it resolved*, That the City Council of the City of Providence does hereby extend its deepest sympathy to the family and loved ones of Shirley Craighead; and

*Be it further resolved*, That the City Council of Providence honors the life of Shirley Craighead, and offers its praise for her unwavering service to children, to child-care-providers, and to the entire community.

**COUNCILMAN MANCINI (By Request):**

Resolution Requesting the Forestry Division of the Parks Department to cause the removal of the tree located at 24 Lucille Street.

*Resolved*, that the Forestry Division of the Parks Department is requested to cause the removal of the tree located at 24 Lucille Street.

Resolution Requesting the Forestry Division of the Parks Department is requested to cause the removal of the tree located at 150 Cumberland Street.

*Resolved*, that the Forestry Division of the Parks Department is requested to cause the removal of the tree located at 150 Cumberland Street.

**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 of Passage is Sustained.**

Resolution Requesting the Traffic Engineer to cause the replacement of the missing Blinking Speed Sign on Douglas Avenue before the Veazie Street School.

**COUNCILMAN MANCINI:**

Resolution Requesting the Traffic Engineer to cause the installation of "No Littering" Signs within the 14<sup>th</sup> Ward.

**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.**

**COUNCILMEN SEGAL, HASSETT, LUNA, COUNCILWOMEN WILLIAMS and DIRUZZO:**

Resolution Requesting the Director of the Department of Public Works to communicate and coordinate with City Council Representatives and governing bodies of respective recognized neighborhood associations to enhance the communication with, and input from, the citizens of the impacted neighborhoods.

*Whereas*, The City of Providence is graced with strong neighborhoods of historical distinction, natural beauty and unique residential characteristics; and

*Whereas*, The Department of Public Works of the City is charged with the responsibility of acquiring, constructing, renovating, installing and maintaining many essential public works and services of the City for the benefits of the citizens; and

*Whereas*, The established neighborhood associations throughout the City serve the important function of protecting, maintaining and enhancing the historical distinction, natural beauty and unique residential characteristics and standards of each neighborhood; and

*Whereas*, It is in the interest of the City, its citizens and neighborhoods that the

objectives, assignments and projects of the Department of Public Works be communicated to, and coordinated with, the City Council representative and governing bodies of the respective recognized neighborhood associations to enhance the communication with, and input from, the citizens of the impacted neighborhood.

*Now, therefore, be it resolved*, That the Director of Public Works or his designated representative be required to: (i) publish a written report on or about each January 1 and July 1 of each year on the City's website identifying and describing in reasonable detail the planned projects to be undertaken within the next succeeding six-month period and beyond; and (ii) post, upon not less than 60 days' notice, standardized temporary signage on the proposed impacted block(s) which references the City's web site for a description of the proposed project(s). Such report by the Department of Public Works will highlight any anticipated impact such projects could have upon sidewalks, streets, street trees and other distinctive neighborhood characteristics. Further, upon receiving a written request from the governing body of a neighborhood association and /or City Council member, the Director of Public Works or his designated representative shall meet with the governing body of the neighborhood association and/or the City Council member within a reasonable period of time to discuss the contents of the semi-annual report and any particular project referenced in such report. The Department of Public Works shall take into consideration the views and resolutions of the neighborhood association and/or City Council member prior to proceeding with the proposed projects.

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

**The Motion for Passage is Sustained.**

**COUNCILWOMAN YOUNG and COUNCILMAN APONTE (By Request):**

Resolution Requesting the Health, Science & Technology High School located at the Juanita Sanchez Complex be named the William B. Cooley Sr. High School.

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

**COUNCILWOMAN YOUNG:**

Resolution Extending Sincere Congratulations to Rhudy and Santos Hernandez upon the opening of their new business "Carmela Flowers and Gifts".

*Resolved,* that the Members of the Providence City Council hereby Extend Sincere Congratulations to Rhudy and Santos Hernandez upon the opening of their new business "Carmela Flowers and Gifts".

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

**The Motion for Passage is Sustained.**

## REPORTS FROM COMMITTEES

### SPECIAL COMMITTEE ON STATE LEGISLATION

**COUNCILMAN LUIS A. APONTE, Chairman**

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

Resolution Urging the Rhode Island General Assembly to give careful consideration to a change in the RI General Law(s), including, inter alia, greater financial assistance to municipalities, revision of the

educational aid formula, a portion of the state sales tax to municipalities, or new and innovative ways to revise the existing system in order to lessen its burden which continues to result in the inequitable

treatment of the people of Providence and the entire State of Rhode Island.

*Whereas*, The method of distributing the property tax burden among the taxpayers of Providence and other communities throughout the state has resulted in disparities in the distribution of said burden; and

*Whereas*, Groups of taxpayers have received sizeable reductions in their share of the burden as other groups of taxpayers have received sizable increases; and

*Whereas*, The Providence City Council has one of its most important duties the equitable treatment of the people by whom they were elected.

*Now, therefore, be it resolved*, That the Providence City Council urges the Rhode Island General Assembly to give careful consideration to a change in the RI General Law(s), including, inter alia, greater financial assistance to municipalities, revision of the educational aid formula, a portion of the state sales tax to municipalities, or new and innovative ways to revise the existing system in order to lessen its burden which continues to result in the inequitable treatment of the people of Providence and the entire State of Rhode Island; and

*Be it further resolved*, That a copy of this resolution be forwarded to the Governor of the State of Rhode Island, the Providence Legislative Delegation, the Members of the General Assembly Leadership, and the 38 other cities and towns.

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Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2004-H 7917, Relative to Highways - Construction and Maintenance of State Roads.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of House Bill 2004-H 7917, Relative to Highways - Construction and Maintenance of State Roads.

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Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2004-2487, Relative to Highways - Construction and Maintenance of State Roads.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of Senate Bill 2004- 2487, Relative to Highways - Construction and Maintenance of State Roads.

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Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2004-S 2480, Relative to Criminal Offenses - Public Utilities.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of Senate Bill 2004-S 2480, Relative to Criminal Offenses - Public Utilities.

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Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2004-S 2735, Relative to Criminal Offenses - Public Utilities.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of Senate Bill 2004-S 2735, Relative to Criminal Offenses - Public Utilities.

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2004-H 7918, Relative to Criminal Offenses - Public Utilities.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of House Bill 2004-H 7918, Relative to Criminal Offenses - Public Utilities.

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2004-H 7919, Relative to Criminal Offenses - Public Utilities.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of House Bill 2004-H 7919, Relative to Criminal Offenses - Public Utilities.

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2004-H 8012 and Senate Bill 2004-S 2884, Relative to State Affairs and Government - Energy Facility Siting Act.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of House Bill 2004-H 8012 and Senate Bill 2004-S 2884, Relative to State Affairs and Government - Energy Facility Siting Act.

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2004-H 8130 and Senate Bill 2004-S 2869, Relative to State Affairs and Government - Energy Facility Siting Act.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge by the General Assembly of House Bill 2004-H 8130 and Senate Bill 2004-S 2869, Relative to State Affairs and Government - Energy Facility Siting Act.

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2004-H 8054 and Senate Bill 2004-S 2870, Relative to State Affairs and Government - Energy Facility Siting Act.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of House Bill 2004-H 8054 and Senate Bill 2004-S 2870, Relative to State Affairs and Government - Energy Facility Siting Act.

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2004-H 8105 and Senate Bill 2004-S 2919, Relative to Health and Safety - High Voltage Lines.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of House Bill 2004-H 8105 and Senate Bill 2004-S 2919, Relative to Health and Safety - High Voltage Lines.

**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.**

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2004-H 7995 and Senate Bill 2004-S 2705, Relative to Domestic Relations - Persons Eligible to Marry.

**COUNCIL PRESIDENT LOMBARDI  
Refers the Resolution back to the  
Committee on State Legislation.**

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Resolution in Support of 2004-H 7804,  
Entitled: "An Act Relating to Alcoholic  
Beverages - Licenses."

*Whereas*, In 2003, the General Assembly passed legislation to increase the license fees for the retail sale of alcoholic beverages; and

*Whereas*, The legislation allows cities and towns to charge up to \$800.00 for Class D (Club) liquor licenses; and

*Whereas*, An \$800.00 fee for larger clubs is not unreasonable, for some smaller clubs, particularly veterans' clubs, this fee could cause great hardship and even force some of them to give up their liquor licenses; and

*Whereas*, Representative Peter Kilmartin has caused to be introduced in the General Assembly 2004-H 7804, "AN ACT RELATING TO ALCOHOLIC BEVERAGES - LICENSES", which would allow cities and towns to charge less for Class D licenses for veterans' halls with capacities of not more than 100 people; and

*Whereas*, The Providence City Council believes that this legislation is in the best interest of the City of Providence.

*Now, therefore, be it resolved*, That the Providence City Council does hereby support

2004-H 7804, "An Act Relating to Alcoholic , Beverages - Licenses", which would allow cities and towns to charge less for Class D licenses for veterans' halls with capacities of not more than 100 people, and urges the Providence Delegation to the General Assembly to work diligently for its passage.

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Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2004-S 2793 and House Bill 2004-H 8246, Relative to Taxation - Sales and Use Taxes - Liability and Computation.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of Senate Bill 2004-S 2793 and House Bill 2004-H 8246, Relative to Taxation - Sales and Use Taxes - Liability and Computation.

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Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2004-S 2760 and House Bill 2004-H 8260, Relative to the Indebtedness of Towns and Cities.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of Senate Bill 2004-S 2760 and House Bill 2004-H 8260, Relative to the Indebtedness of Towns and Cities.

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Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2004-H 8247, Relative to Taxation - Property Subject to Taxation.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of

House Bill 2004-H 8247, Relative to Taxation  
- Property Subject to Taxation.

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Resolution Endorsing and Urging Passage by  
the General Assembly of Senate Bill 2004-S  
2734 and House Bill 2004-H 8259, Relative  
to Parking Surcharges in the Providence  
Parking District.

*Resolved,* That the Members of the  
Providence City Council hereby Endorse and  
Urge Passage by the General Assembly of  
Senate Bill 2004-S 2734 and House Bill 2004-  
H 8259, Relative to Parking Surcharges in  
the Providence Parking District.

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Resolution Endorsing and Urging Passage by  
the General Assembly of Senate Bill 2004-S  
2805 and House Bill 2004-H 8249, Relative  
to Creating a Special Legislative  
Commission to Study Transportation  
Issues in Providence, North Providence,  
East Providence, Central Falls, Pawtucket,  
Woonsocket and Warwick and Making an  
Appropriation therefore of the sum of  
Three Hundred and Seventy-Five  
Thousand Dollars (\$375,000.00)

*Resolved,* That the Members of the  
Providence City Council hereby Endorse and  
Urge Passage by the General Assembly of  
Senate Bill 2004-S 2805 and House Bill 2004-  
H 8249, Relative to Creating a Special  
Legislative Commission to Study  
Transportation Issues in Providence, North  
Providence, East Providence, Central Falls,  
Pawtucket, Woonsocket and Warwick and  
Making an Appropriation therefore of the  
sum of Three Hundred and Seventy-Five  
Thousand Dollars (\$375,000.00)

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Resolution Endorsing and Urging Passage by  
the General Assembly of House Bill 2004-H  
8322, Relative to Taxation - Levy and  
Assessment of Local Taxes.

*Resolved,* That the Members of the  
Providence City Council hereby Endorse and  
Urge Passage by the General Assembly of  
House Bill 2004-H 8322, Relative to Taxation  
- Levy and Assessment of Local Taxes.

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Resolution Endorsing and Urging Passage by  
the General Assembly of House Bill 2004-H  
8262, Relative to Taxation - Municipal Lien  
Certificates.

*Resolved,* That the Members of the  
Providence City Council hereby Endorse and  
Urge Passage by the General Assembly of  
House Bill 2004-H 8262, Relative to Taxation  
- Municipal Lien Certificates.

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Resolution Endorsing and Urging Passage by  
the General Assembly of House Bill 2004-H  
8319, Relative to Towns and Cities -  
Redevelopment Agencies.

*Resolved,* That the Members of the  
Providence City Council hereby Endorse and  
Urge Passage by the General Assembly of  
House Bill 2004-H 8319, Relative to Towns  
and Cities - Redevelopment Agencies.

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Resolution Endorsing and Urging Passage by  
the General Assembly of Senate Bill 2004-S  
2725 and House Bill 2004-H 8250, Relative  
to Motor Vehicles - Abandoned Cars.

*Resolved,* That the Members of the  
Providence City Council hereby Endorse and  
Urge Passage by the General Assembly of

Senate Bill 2004-S 2725 and House Bill 2004-H 8250, Relative to Motor Vehicles - Abandoned Cars.

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Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2004-H 8263, Relative to Criminal Offenses and Procedures - Criminal Background Checks.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of House Bill 2004-H 8263, Relative to Criminal Offenses and Procedures - Criminal Background Checks.

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Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2004-H 8320, Relative to Towns and Cities - Stormwater Management Districts.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of House Bill 2004-H 8320, Relative to Towns and Cities - Stormwater Management Districts.

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Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2004-S 2791 and House Bill 2004-H 8256, Relative to Public Utilities and Carriers - Towing Storage Act.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of Senate Bill 2004-S 2791 and House Bill 2004-H 8256, Relative to Public Utilities and Carriers - Towing Storage Act.

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Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2004-S 2752 and House Bill 2004-H 8257, Relative to Financial Institutions - Pawnbrokers.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of Senate Bill 2004-S 2752 and House Bill 2004-H 8257, Relative to Financial Institutions - Pawnbrokers.

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Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2004-S 2840 and House Bill 2004-H 8255, Relative to Businesses and Professions - Laundries.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of Senate Bill 2004-S 2840 and House Bill 2004-H 8255, Relative to Businesses and Professions - Laundries.

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Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2004-S 2839 and House Bill 2004-H 8252, Relative to Businesses and Professions.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of Senate Bill 2004-S 2839 and House Bill 2004-H 8252, Relative to Businesses and Professions.

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Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2004-S 2792 and House Bill 2004-H 8264, Relative to Probate Practice and Procedure - Practice in Probate Courts.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of Senate Bill 2004-S 2792 and House Bill 2004-H 8264, Relative to Probate Practice and Procedure - Practice in Probate Courts.

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Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2004-S 2727 and House Bill 2004-H 8254, Relative to Taxation - Collection of Taxes Generally.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of Senate Bill 2004-S 2727 and House Bill 2004-H 8254, Relative to Taxation - Collection of Taxes Generally.

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Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2004-S 2741 and House Bill 2004-H 8265, Relative to Taxation - Tax Sales.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of Senate Bill 2004-S 2741 and House Bill 2004-H 8265, Relative to Taxation - Tax Sales.

---

Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2004-S 2789, Relative to Public Utilities - Water Supply Systems.

*Resolved*, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of

Senate Bill 2004-S 2789, Relative to Public Utilities - Water Supply Systems.

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Resolution Requesting the Providence City Council to urge the members of the Rhode Island General Assembly to pass Senate Bill 2004-S 2268 and House Bill 2004-H 7822, authorizing tax credits for individuals and businesses donating to qualified, non-profit scholarship organizations.

*Whereas*, a Scholarship Tax Credit Bill has been introduced in the Rhode Island State Senate designated as S-2268, with corresponding legislation introduced in the House of Representatives designated as H-7822; and

*Whereas*, said legislation would provide State tax credits to individuals and businesses for donations made to qualified, non-profit tuition scholarship organizations; and

*Whereas*, these tuition scholarship organizations would then be able to distribute those funds in the form of tuition assistance grants to low and moderate income students as delineated in the legislation.

*Now, therefore, be it resolved*, that the Providence City Council urges the members of the Rhode Island General Assembly to pass Senate Bill 2004-S-2268 and House Bill 2004-H-7822 authorizing tax credits for individuals and businesses donating to qualified, non-profit scholarship organizations.

*Be it further resolved*, that the City Clerk is instructed to send a copy of this Resolution to

the Governor, Lieutenant Governor, The Speaker of the House of Representatives, The President of the Senate and each Senator and Representative from the City of Providence.

**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.**

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## **COMMITTEE ON PUBLIC WORKS**

**COUNCILMAN TERRENCE M. HASSETT, Chairman**

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

Resolution Granting the abandonment of a portion of Rice Street.

*Resolved, Decreed And Ordered:*

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064747 dated September 2, 2003.

VIZ:

RICE STREET, running from Pearl Street south-westerly for 205 feet, shown as the cross-hatched area on accompanying plan and designated by the letters (A-B-C-D), having ceased to be useful to the public, is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned upon the following:

(1) Petitioner shall pay the sum of Sixteen Thousand and Three Hundred Sixty-four Dollars (\$16,364.00) in legal U.S. tender to the City of Providence.

(2) Petitioner shall comply with all conditions contained herein, including recording this Resolution, not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

(3) Such other conditions as the Mayor or the Law Department shall see fit to impose. And it is further

**ORDERED,** That the Traffic Engineer be and is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the

words, "Not a Public Highway," and it is further

ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

Resolution Granting the abandonment of a portion of Pearl Street.

*Resolved, Decreed And Ordered:*

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 0647478 dated September 9, 2003.

VIZ:

PEARL STREET, running from Perkins Street to Central Street, shown as the cross-hatched area on accompanying plan and designated by the letters (A-B-C-D), having ceased to be useful to the public, is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned upon the following:

(1) Petitioner shall pay the sum of Twenty-three Thousand and One Hundred Ninety-six Dollars (\$23,196.00) in legal U.S.. tender to the City of Providence.

(2) Petitioner shall comply with all conditions contained herein, including recording this Resolution, not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

(3) Such other conditions as the Mayor or the Law Department shall see fit to impose.

And it is further

*Ordered,* That the Traffic Engineer be and is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway," and it is further

*Ordered,* That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

Resolution Granting the abandonment of Perkins Street.

*Resolved, Decreed And Ordered:*

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064746 dated August 27, 2003.

VIZ:

PERKINS STREET, running from Pearl Street to A Street, shown as the cross-hatched area on accompanying plan and designated by the letters (A-B-C-D), having ceased to be useful to the public, is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned upon the following:

(1) Petitioner shall pay the sum of Twenty-seven Thousand and Three Hundred Twenty Dollars (\$27,320.00) in legal U.S. tender to the City of Providence.

(2) Petitioner shall comply with all conditions contained herein, including recording this Resolution, not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

(3) Such other conditions as the Mayor or the Law Department shall see fit to impose.

And it is further

*Ordered*, That the Traffic Engineer be and is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway," and it is further

*Ordered*, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

Resolution Granting the abandonment of a portion of Rice Street (easternmost western extension).

*Resolved, Decreed And Ordered:*

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064759 dated May 3, 2004.

VIZ:

RICE STREET, running from Pearl Street south-westerly for 84 feet, shown as the cross-hatched area on accompanying plan and designated by the letters (A-B-C-D), having ceased to be useful to the public, is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned upon the following:

(1) Petitioner shall pay the sum of Six Thousand and Seven Hundred Twenty Dollars (\$6,720.00) in legal U.S. tender to the City of Providence.

(2) Petitioner shall comply with all conditions contained herein, including recording this Resolution, not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

(3) Such other conditions as the Mayor or the Law Department shall see fit to impose.

And it is further

*Ordered*, That the Traffic Engineer be and is hereby directed to cause a sign to be placed

on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway," and it is further

*Ordered,* That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

Resolution Granting the abandonment of a portion of Linden Street.

*Resolved, Decreed And Ordered:*

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064752 dated February 4, 2004.

VIZ:

LINDEN STREET, running from Friendship Street to West Clifford Street, shown as the cross-hatched area on accompanying plan and designated by the letters (A-B-C-D), having ceased to be useful to the public, is proposed to be abandoned as a Public Highway, Said Abandonment is specifically conditioned upon the following:

(1) Petitioner shall pay the sum of One Dollar (\$1.00) in legal U.S. tender to the City of Providence.

(20) The petitioner shall convey a full sewer easement acceptable to City of Providence, Department of Public Works which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

(3) Petitioner shall comply with all conditions contained herein, including recording this Resolution, not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

(4) Such other conditions as the Mayor or the Law Department shall see fit to impose. And it is further

*Ordered,* That the Traffic Engineer be and is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words. "Not a Public Highway," and it is further

*Ordered,* That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper published in the County of Providence at least once a week for three successive weeks and a further and personal, notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State. .

Resolution Granting the abandonment of a portion of Myrtle Street.

*Resolved, Decreed And Ordered:*

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064752 dated February 4, 2004.

VIZ:

MYRTLE STREET, running from Friendship Street to West Clifford Street, shown as the cross-hatched area on accompanying plan and designated by the letters (A-B-C-D), having ceased to be useful to the public, is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned upon the following:

(1) Petitioner shall pay the sum of One Dollar (\$1.00) in legal U.S. tender to the City of Providence.

(2) The petitioner shall comply with all conditions contained herein, including recording this Resolution, not later than sixty (60) days from its approval. Upon failure to so comply for any reason, within resolution shall automatically become a nullity.

(3) Such other conditions as the Mayor or the Law Department shall see fit to impose. And it is further

*Ordered*, That the Traffic Engineer be and is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway," and it is further ;

*Ordered*, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

Resolution Granting a grade change along a portion of Dedham Street.

*Whereas*, A portion of Dedham Street, presumptively following the previously-established grade, was constructed by or on behalf of the City of Providence, some thirty to forty years ago; and

*Whereas*, The remaining portion of Dedham Street was laid out as a public way, but never constructed; and

*Whereas*, Since the time that the grade was established for the whole of Dedham Street, some settlement has occurred on the filled land which composed the remainder of the unconstructed portion; and

*Whereas*, The developer has graded the site and begun construction of a roadway that does not conform to the existing approach grading; and

*Whereas*, The existing grade established for Dedham Street would require the develop to construct the road some five to six feet in the air, creating drainage problems for the adjacent lots; and

*Whereas*, The Department of Public Works has made a significant effort to work with the

developer to obtain a design that meets the City's standards; and

*Whereas*, The Department of Public Works would like to accommodate the developer and avoid prolonging the consideration of the matter, and recommends that approval be conditioned upon the submission of plans acceptable to the Department;

*Now, therefore, be it resolved*,

That the petition to establish grade as proposed by the developer of the previously-unconstructed portion of Dedham Street, specifically that portion from AP 112, Lot 343 past AP 112, Lot 396, is hereby granted, subject to the following conditions:

1. The developer submits plans acceptable to the Department of Public Works to accept as established the "at grade" roadway presently under construction.
2. Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee on Public Works and/or as may be deemed appropriate by the Mayor or the Department of Law.

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Resolution Granting a grade change along a portion of Wilna Street.

*Whereas*, A portion of Wilna Street was constructed by or on behalf of the City of Providence some thirty to forty years ago; and

*Whereas*, The remaining portion of Wilna Street was laid out as a public way, but never constructed; and

*Whereas*, The remainder of the unconstructed portion of Wilna is a dead end, and has a very steep grade, in excess of 15% at points which is the maximum recommended grade by the American Association of State Highway and Transportation Officials, although this is consistent with similar and even steeper grades in other sections of the Ward; and

*Whereas*, The developer has graded the site and begun construction of a roadway that does not conform to the City's standards for road construction; and

*Whereas*, The Department of Public Works has made a significant effort to work with the developer to obtain a design that meets the City's standards; and

*Whereas*, The Department of Public Works would like to accommodate the developer and avoid prolonging the consideration of the matter, and recommends that approval be conditioned upon the submission of plans acceptable to the Department and approval by the other City agencies, including the Police and Fire Departments, which will need to provide services to this dead-end road during all seasons, including winter conditions;

*Now, Therefore, It Is Resolved:*

That the petition to establish grade as proposed by the developer of the previously-unconstructed portion of Wilna Street, specifically that portion from AP 77, Lot 614 past AP 77, Lot 605, is hereby granted, subject to the following conditions:

1. The developer submits plans acceptable to the Department of Public Works to delineate the grades, construction,

run-off, sewer connections, and all other matters pertaining to the City's established standards, for the roadway presently under construction.

2. The developer solicit and respond to comments from the Police and Fire Departments regarding any concerns about

providing emergency services during winter conditions.

3. Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee on Public Works and/or as maybe deemed appropriate by the Mayor or the Department of Law.

**COMMITTEE ON CITY PROPERTY**

**COUNCILWOMAN JOSEPHINE DiRUZZO, Chairwoman**

**AND**

**COMMITTEE ON PUBLIC WORKS**

**COUNCILMAN TERRENCE M. HASSETT, Chairman**

**JOINTLY**

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

Resolution Authorizing His Honor the Mayor to execute a Statewide Construction and Maintenance Agreement to the State of Rhode Island with respect to I-95 Ramp Access, Rhode Island Contract Number: 9871, 9901, 9902, 9909, 9916, 9929, 9930, Construction and Maintenance Agreement.

*Whereas*, the State of Rhode Island proposes to undertake roadway reconstruction, rehabilitation and/or improvements on certain roads in the city; and

*Whereas*, said improvements will alleviate congestion and facilitate pedestrian and vehicular traffic,

*Now, Therefore, Be It Resolved That,* His Honor, the Mayor, is authorized to execute a Statewide Construction and Maintenance Agreement to the State of Rhode Island with respect to I1-95 Ramp Access, Rhode Island Contract Number: 9871, 9901, 9902, 9909, 9916, 9929, 9930, Construction and Maintenance Agreement. Said Agreement shall be substantially in the form as exhibited in attachment "A" subject to such modifications as may be recommended by the Mayor and/or the Department of Law.

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Resolution Authorizing His Honor the Mayor to execute a Statewide Construction and Maintenance Agreement to the State of Rhode Island with respect to Modified 3R Improvements to Pontiac Avenue, Rhode Island Contract Number: 2002-CH-001, Construction and Maintenance Agreement.

*Whereas,* the State of Rhode Island proposes to undertake roadway reconstruction, rehabilitation and/or improvements on certain roads in the city; and

*Whereas,* said improvements will alleviate congestion and facilitate pedestrian and vehicular traffic,

*Now, therefore, be it resolved that,* His Honor, the Mayor, is authorized to execute a Statewide construction and Maintenance Agreement to the State of Rhode Island with respect to Modified 3R Improvements to Pontiac Avenue, Rhode Island Contract Number: 2002-Ch-001, Construction and Maintenance Agreement. Said Agreement shall be substantially in the form as exhibited in attachment "A" subject to such modifications as may be recommended by the Mayor and/or the Department of Law.

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

**COUNCILMAN DeLUCA is recorded as voting "NO"**

**The Motion for Passage of the Several Resolutions is Sustained.**

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**COMMITTEE ON FINANCE**

**COUNCILMAN KEVIN JACKSON, Chairman**

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

An Ordinance Establishing and Granting  
a Tax Stabilization Plan for Morvco Realty,

LLC with respect to Assessor's Plat 50, Lot  
735 of the City of Providence.

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

An Ordinance to Authorize the Issuance  
of General Obligation Refunding Bonds of the  
City of Providence to refund the outstanding  
portion of \$11,800,000 Taxable General  
Obligation Bonds dated May 1, 1997, due  
July 15, 2000 to 2019.

**APONTE, BUTLER, COUNCILWOMAN  
DIRUZZO, COUNCILMEN HASSETT,  
IGLIOZZI, JACKSON, LUNA, MANCINI,  
COUNCILWOMAN ROMANO, COUNCIL-  
MAN SEGAL, COUNCILWOMEN  
WILLIAMS and YOUNG-14.**

**COUNCILMAN APONTE Moves  
Passage of the Ordinances for the First  
Time, seconded by COUNCILWOMAN  
WILLIAMS, by the Following Roll Call  
Vote:**

**NAYES: COUNCILMAN DeLUCA-1.**

**ABSENT: NONE.**

**AYES: COUNCIL PRESIDENT  
LOMBARDI, COUNCILMEN ALLEN,**

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

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

Resolution Authorizing the Mayor to enter  
into the transactions to sublet spaces in the  
Public Safety Garage and to issue the Lease  
Certificate of Participation and to take any  
and all action and to execute, file, and  
deliver any subleases and any and all

agreements, indentures, notes, and other  
documents in such form as he may deem  
necessary or desirable to implement the  
subletting of spaces in the Public Safety  
Garage and issuance of Lease Certificates  
of Participation.

*Whereas*, the Providence Redevelopment Agency (the "Agency") financed the acquisition of certain real estate and the construction and equipping of a Public Safety Facility thereon including, but not limited to, site acquisition and development, the demolition of Structures thereon, and the financing of all costs associated with the acquisition, construction and equipping of the new public safety facility including capitalized interest during construction (the "Public Safety Building Project") pursuant to a Trust Indenture between the Agency and U.S. Bank National Association, as successor trustee to State Street Bank and Trust Company (the "Trustee") (the "Indenture");

*Whereas*, in connection therewith, the Agency entered into a Lease Agreement (Providence Public Safety Building Project) with the City dated as of November 1, 1999 for the use of the Public Safety Building Project (the "Public Safety Building Lease");

*Whereas*, the Public Safety Building Project includes a five hundred (500) space parking garage (the "Public Safety Garage"); and

*Whereas*, the City desires to sublet spaces in the Public Safety Garage to generate revenue; and

*Whereas*, the City also has issued an Invitation to Bid for proposals for an operator to sublease and operate the Public Safety Garage which contemplates an up-front sublease payment to the City; and

*Whereas*, the winning bidder has proposed a financing structure which includes the issuance of Lease Certificates of Participation; and

*Whereas*, in connection with the issuance of the Lease Certificates of Participation, under applicable securities laws and regulations, the City will be required to provide continuing disclosure regarding the City;

*Whereas*, the Public Safety Building Project was financed through the Agency's issuance of Revenue Bonds (Public Safety and Municipal Building Projects) 1999 Series A in the principal amount of \$68,000,000 (the "Bonds") pursuant to the Indenture; and

*Whereas*, the transactions contemplated by this Resolution are also subject to the approval of the Agency and Ambac Assurance, the Bond Insurer for the Bonds;

*Now, Therefore, Be It Resolved That:*

1. The City Council hereby authorizes the Mayor to enter into the transactions to sublet spaces in the Public Safety Garage and to issue the Lease Certificates of Participation described herein, and the Mayor is authorized to take any and all action and to execute, file, and deliver any subleases and any and all agreements, indentures, notes, and other documents in such form as he may deem necessary or desirable to implement the subletting of spaces in the Public Safety-Garage and the issuance of Lease Certificates of Participation as described herein.

2. The City's Director of Finance is authorized to execute, and deliver a continuing disclosure certificate in connection with the Lease Certificates of Participation, 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 the continuing

disclosure certificate, as it maybe amended from time to time. Notwithstanding any other provision of this Resolution or the Lease Certificates of Participation, failure of the City to comply with the continuing disclosure certificate, shall not be considered an event of default; however any certificate holder 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 the continuing disclosure certificate.

3. This Resolution shall take effect on passage.

**COUNCILMAN DeLUCA, Moves to refer the foregoing Resolution back to the Committee on Finance, seconded by COUNCILMAN HASSETT, by the following Roll Call Vote:**

**AYES: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN DeLUCA, HASSETT, IGLIOZZI, and COUNCILWOMAN YOUNG-5.**

**NAYES: COUNCILMEN ALLEN, APONTE, BUTLER, COUNCILWOMAN DIRUZZO, COUNCILMEN JACKSON, LUNA, MANCINI, COUNCILWOMAN**

**ROMANO, COUNCILMAN SEGAL and COUNCILWOMAN WILLIAMS-10.**

**ABSENT: NONE.**

**The Motion to refer back Fails.**

**COUNCILMAN APONTE, Moves passage of the foregoing Resolution, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:**

**AYES: COUNCILMEN ALLEN, APONTE, BUTLER, COUNCILWOMAN DIRUZZO, COUNCILMEN JACKSON, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, and COUNCILWOMAN WILLIAMS-10.**

**NAYES: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN DeLUCA, HASSETT, IGLIOZZI, and COUNCILWOMAN YOUNG-5.**

**ABSENT: NONE.**

**The Motion for Passage is Sustained.**

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**COMMITTEE ON URBAN REDEVELOPMENT,  
RENEWAL AND PLANNING**

**COUNCILWOMAN BALBINA A. YOUNG, Chairwoman**

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

**COUNCIL PRESIDENT LOMBARDI  
RELINQUISHES THE CHAIR**

**ACTING COUNCIL PRESIDENT PRO  
TEMPORE YOUNG IN THE CHAIR**

**COUNCIL PRESIDENT LOMBARDI  
RETURNS TO THE CHAIR**

**amended, seconded by COUNCIL-  
WOMAN WILLIAMS, by the following  
Roll Call Vote:**

**AYES: COUNCIL PRESIDENT  
LOMBARDI, COUNCILMEN ALLEN,  
APONTE, BUTLER, DeLUCA,  
COUNCILWOMAN DIRUZZO, COUNCIL-  
MEN HASSETT, IGLIOZZI, JACKSON,  
MANCINI, COUNCILWOMAN ROMANO,  
COUNCILMAN SEGAL, COUNCIL-  
WOMEN WILLIAMS and YOUNG-14.**

**NAYES: NONE. ABSENT: NONE.**

**COUNCILMAN LUNA is recorded as  
"NOT VOTING"**

**The motion for Passage the First  
Time As Amended is Sustained.**

An Ordinance Establishing Authorization for the City of Providence through its Department of Planning and Development to submit the Community Development Block Grant Application.

**COUNCILMAN APONTE, Moves to Amend the foregoing Ordinance, seconded by COUNCILWOMAN WILLIAMS.**

**COUNCILMAN APONTE Moves passage of the foregoing Ordinance as**

## COMMUNICATIONS AND REPORTS

Communication dated April 20, 2004, from Alex Prignano, Director of Finance, submitting the City of Providence's FY 2003 audited financial statements.

**Received.**

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

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Communication from William T. Smitherman, Senior Assistant City Solicitor, dated April 15, 2004, requesting an extension of the Residency Requirement for the City of Providence.

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Communication from Norman C. Ripstein, Jr., dated April 20, 2004, requesting an extension of the Residency Requirement for the City of Providence.

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

**COUNCIL PRESIDENT LOMBARDI  
Refers the Several Communications to  
the Commission on Residency.**

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Communication from Daniel A. Baudouin, Executive Director, The Providence Foundation, dated April 29, 2004, relative to Rhode Island General Laws, Title 45, Chapter 59 District Management Authorities, the Providence Foundation, on behalf of persons owning real property within the proposed district hereby petitions the City Council to create a Downtown Providence District Management Authority. In accordance with Title 45-Chapter 59-5 signed petitions from property owners owning more than 60% of the taxable assessed valuations within the proposed district.

**COUNCIL PRESIDENT LOMBARDI  
Refers the Communication to the  
Committee on Ordinances.**

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Report from Richard H. Aitchison, License Administrator, Board of Licenses, of all monies received on behalf of the Board of Licenses, issued during the quarter ending March 31, 2004.

**Received.**

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

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## FROM THE CLERK'S DESK

Petition from W. Mark Russo, Ferrucci Russo, P.C., requesting temporary and permanent caisson easements for the Masonic Hotel.

**COUNCIL PRESIDENT LOMBARDI Refers the Petition to the Committee on Public Works & City Property Jointly.**

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

Michonne L. Gamble-Rivers  
(Thomas L. Pearlman, Esquire)

Everett S. Aubin

Polina Malikin

Allstate  
a/s/o Patricia Trafford

Albert Gates

Clifford R. Macomber

Travelers Insurance  
a/s/o John Perrotta

Narragansett Electric

Westminster Auto Body

Joe'l T. Haitko

Arisleyda Gutierrez

Marlie Sotomayor  
(James V. Burchfield, Jr., Esquire)

Travelers  
a/s/o John Rogers

Peerless Insurance Company  
a/s/o Mark & Donna Decrescenzo

Salvatore Edward Gentile IV

MetLife Auto & Home  
a/s/o Millicent Maynard

Nicholas W. Easton

Cheryl Scheiss  
(Mark D. Tourgee, Esquire)

Amica Mutual Insurance Company  
a/s/o Dorothy L. Barry

Estate of Carol Walker and Elizabeth,  
Homer, Jonathan, Carol Ann, Edward  
and Homer Lee Cable  
(Casby Harrison III, Esquire)

Amica  
a/s/o Daniel B. Reich

Travelers  
a/s/o Joseph Suffoletto

Robert D. Hagan

Shyrah and Jose Ramirez

Peter Quesenberry

Yadira Mejia, Erick Rodriguez and Vladimil  
Matos (Joseph M. Martinous, Esquire)

Mildred E. Cardoso  
(Christopher M. Rawson, Esquire)

Lydia Desjarlais  
(Donald A. Woodbine, Esquire)

Rosa L. Monterio  
(Stephen A. Rodio, Esquire)

**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:

Laura Lee Luongo, in recognition of the celebration of her fiftieth birthday, born April 16, 1954.

Representative Steven F. Smith, in recognition of being the recipient of the "George Meany Award" from The Narragansett Council Boy Scouts of America.

Darryl and Lisa Superczynski in recognition of the birth of their son, Matthew, born April 14, 2004.

Marissa and Anthony Levesque, in recognition of the birth of their daughter, Livia Rose, born April 28, 2004, weighing 7 pounds, 14 ounces.

Rhudy and Santos Hernandez, in recognition of the celebration of the grand opening of their new business, "Carmela Flowers and Gifts".

John Verardo, in recognition of attaining the rank of Eagle Scout.

Edward Pascarella, in recognition of the celebration of his retirement after twenty-nine years of dedicated service to the Providence School Department and retiring on August 29, 2003 as Director of School Operations and Student Support.

Kemi Badru, in recognition of her spirit of community service and leadership development as a youth of Oasis International.

Kola Badru, in recognition of his spirit of community service and leadership development as a youth of Oasis International.

Kehindra Omisore, in recognition of her spirit of community service and leadership development as a youth of Oasis International.

Michael Olaseinde, in recognition of his spirit of community service and leadership development as a youth of Oasis International.

Moyosore Ojo, in recognition of his spirit of community service and leadership development as a youth of Oasis International.

Lieutenant Bruce Gauvin, in recognition of the celebration of his retirement from the Providence Fire Department after twenty-one years of dedicated service, retiring as Lieutenant for Engine Company 14.

Sodexo Resource Management, in recognition of their innovative programs for recycling in the Providence School District.

Kathleen Mellor, in recognition of being named 2004 "National Teacher of the Year" by President George W. Bush.

Christian Caldarone, in recognition of the grand opening of the "Carriage House Art Gallery" on Smith Hill on Friday, April 30, 2004.

Sargeant Patrick Camp, in recognition of his successful tour of duty in Iraq and his unselfish dedication to the United States Armed Forces.

Patrolman Thomas J. Zincone, Jr., in recognition of receiving the first place Rhea Archambeault Award.

Patrolman Dennis P. O'Brien, in recognition of receiving the first place Rhea Archambeault Award.

Patrolman John M. Reposo, Jr., in recognition of receiving the second place Rhea Archambeault Award.

Detective John M. Mellor, in recognition of receiving the third place Rhea Archambeault Award.

Licenciado Jose Tomas Perez, Senador de la Republica Dominicana, in recognition of his memorable visit to the City of Providence.

Licenciado Maximo Ceballos, Miembro del Comite Central del PLD, in recognition of his memorable visit to the City of Providence.

Licenciado Manuel Brito, Miembro del Comite Central del PLD, in recognition of his memorable visit to the City of Providence.

Licenciado Cristobal Ortega, Coordinador Politico del PLD, in recognition of his memorable visit to the City of Providence.

Licenciado Ramon A. Veloz, Coordinador Politico del PLD, in recognition of his memorable visit to the City of Providence.

Miguel Blanco, in recognition of receiving the President's Environmental Youth Award on April 22, 2004.

Taja Gonsalves, in recognition of receiving the President's Environmental Youth Award on April 22, 2004.

Olabisi Davies, in recognition of receiving the President's Environmental Youth Award on April 22, 2004.

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

**The Motion for Passage is Sustained.**

## **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:

Peter D. Gallant

Norma M. Bourcier

Anna Cariglio

Karen M. Renzulli

Donna M. Flaherty

Roy S. Zawislak, Sr.

Angelina E. Boccanfuso

George H. Sylvia

Mary Catauro

Rochelle "Shelley" Bleecker

Sarah A. "Sally" McNulty

Hilda M. Colucci

Ovila W. "Speed" Lagasse

Gerard Robert Laliberte

Joseph A. "Joe Perfecto" Scardera

**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.**

## 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 SEGAL:**

An Ordinance Requiring Community Involvement in Certain Public Works Projects.

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

## FROM THE CLERK'S DESK

Petition from Times<sup>2</sup>, Incorporated, Ralph N. Taylor, Executive Director, requesting the Abandonment of Ark Court in its entirety.

Petition from Times<sup>2</sup>, Incorporated, Ralph N. Taylor, Executive Director, requesting the Abandonment of Wiley Street in its entirety.

Petition from Times<sup>2</sup>, Incorporated, Ralph N. Taylor, Executive Director, requesting the Abandonment of Matthew Street in its entirety.

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

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

## ADJOURNMENT

There being no further business, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn the meeting at 9:00 o'clock P.M. (E.D.T), to meet again on THURSDAY, MAY 20, 2005 at 7:30 o'clock P.M. (E.D.T).

*Michael R. Clement*

MICHAEL R. CLEMENT  
CITY CLERK

