

CITY OF PROVIDENCE RHODE ISLAND



The Credo of the Providence City Council is to be Industrious, to be Watchful and to Promote Peace. The bee, as a symbol of industry, is derived from the early colonial saying "Busy as a Bee"; the goose, as a symbol of watchfulness, is derived from the story of the goose whose cackling saved Rome; and the lamb, as a symbol of peace, is derived from the biblical use of the lamb as a symbol of peace.



IN CITY COUNCIL
JUL 06 2023

APPROVED:
Jina L. Mastroianni CLERK

CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 14 City Council Regular Council Meeting, Thursday, June 15, 2023, 6:00 o'clock P.M.

PRESIDING

COUNCIL PRESIDENT

RACHEL M. MILLER

CALL TO ORDER

PRESENT: COUNCIL PRESIDENT MILLER, COUNCILOR ANDERBOIS, COUNCILMEN ESPINAL, GONCALVES, COUNCILWOMEN GRAVES, PETERSON, COUNCILORS PICHARDO, ROIAS, SANCHEZ, COUNCILMEN TAYLOR AND VARGAS – 11.

ABSENT: COUNCILWOMEN ANTHONY, HARRIS, RYAN AND VARGAS – 4.

ALSO PRESENT: TINA L. MASTROIANNI, CITY CLERK, SHERI A. PETRONIO, FIRST DEPUTY CITY CLERK, ANGELA J. HARRIS, FIRST DEPUTY CITY CLERK, CLAIRE E. GIRARD, CLERK LIAISON, NAPOLEON ASKIE, CITY SERGEANT AND JEFFREY DANA, CITY SOLICITOR

INVOCATION

The Invocation is given by **COUNCILMAN OSCAR O. VARGAS**.

"Father, we put our minds and our souls in your hands to make the right decisions and to help our city for a better future. Please help us to make and have a great vision for the future and work hard to make a better city and state. I also want to ask you to please pray for our colleague Helen Anthony. Amen."

PLEDGE OF ALLEGIANCE

COUNCILMAN JAMES E. TAYLOR Leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF MINUTES

Journal of Proceedings No. 13 of the Regular Meeting of the City Council held June 1, 2023.

COUNCILMAN TAYLOR Moves to Waive the Reading of item 3 and Move Approval, Seconded by COUNCILOR SANCHEZ.

RESULT:	APPROVED (WITH VOTE) [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilor Sanchez
AYES:	Council President Miller, Councilor AnderBois, Councilmen Espinal, Goncalves, Councilwomen Graves, Peterson, Councilors Pichardo, Roias, Sanchez, Councilmen Taylor and Vargas – 11.
ABSENT:	Councilwomen Anthony, Harris, Ryan and Vargas – 4.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication from His Honor the Mayor, dated June 9, 2023, Informing the Honorable Members of the City Council that pursuant to Resolution 2023-148, he is the day appointing Jonathan Martin, Director of Public Property for the City of Providence as his designee to the City of Providence's Special Commission on Veterans Affairs.

Communication from His Honor the Mayor, dated June 9, 2023, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1107 of the Providence Home Rule Charter of 1980, as amended and Public Law, and the bylaws of the Providence Housing Authority, he is this day re-appointing **Thomas J. Ryan, Esquire** of 590 Pleasant Valley Parkway, Providence, Rhode Island 02908, as a member of the **Providence Housing Authority Board of Directors** for a term to expire on July 31, 2027.

Communication from His Honor the Mayor, dated June 9, 2023, 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 Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987 and Section 18½-2 of the Code of Ordinances, he is this day re-appointing **Michael Fontaine, Esquire** of Fontaine Bell & Associates, located at 1 Davol Square Penthouse, Providence, Rhode Island 02903, to the **Providence External Review Authority**, for a term to expire on December 31, 2025.

Communication from His Honor the Mayor, dated June 9, 2023, 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 Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day re-appointing **Margaretta S. Clurman** of 99 Water Street, Warren, Rhode Island 02885, as a member of the **Providence Tourism Council**, also known as the Convention Center Authority of the City of Providence, for a term to expire on April 30, 2026.

Communication from His Honor the Mayor, dated June 9, 2023, 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 Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day re-appointing **Rick Simone** of 83 Jenckes Hill Road, Lincoln, Rhode Island 02865, as a member of the **Providence Tourism Council**, also known as the Convention Center Authority of the City of Providence, for a term to expire on April 30, 2026.

RESULT: RECEIVED

Communication from His Honor the Mayor, dated June 9, 2023, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended, he is this day re-appointing **Scott Slater** of 74 Sawyer Street, Providence, Rhode Island 02907, as a member of the **Providence Public Building Authority** for a term to expire on July 31, 2028, and respectfully submits the same for your approval.

Communication from His Honor the Mayor, dated June 9, 2023, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1013 of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day appointing **Charlotte Morrow Lipschitz** of 4 Grant Street, Providence, Rhode Island 02909, as a member of the **City Plan Commission** for a term to expire on January 31, 2027, and respectfully submits the same for your approval. (Ms. Lipschitz replaces Mr. Alvarado who has resigned.)

Communication from His Honor the Mayor, dated June 9, 2023, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1013 of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day appointing **William Sherry** of 17 University Avenue, Providence, Rhode Island 02906, as a real estate, development or finance category member of the **City Plan Commission** for a term expire on January 31, 2025, and respectfully submits the same for your approval. (Mr. Sherry replaces Mr. Bilodeau who has resigned.)

COUNCILMAN TAYLOR Moves to Waive the Reading of items 4 through 11, Seconded by COUNCILOR SANCHEZ.

COUNCIL PRESIDENT MILLER Receives items 4 through 8 and Refers items 9 through 11 to the Committee on Finance.

RESULT: REFERRED
TO: Committee on Finance

PRESENTATION OF ORDINANCE

**COUNCILORS ANDERBOIS, SANCHEZ, COUNCIL PRESIDENT MILLER,
COUNCILMEN ESPINAL, GONCALVES, COUNCILWOMAN GRAVES,
COUNCILOR PICHARDO AND COUNCILMAN VARGAS**

An Ordinance Amending Chapter 5 "Buildings and Structural Appurtenances" of the Code of Ordinances to add Article X "Building Energy Reporting Program".

**COUNCILMAN TAYLOR Moves to Waive the Reading of item 12, Seconded by
COUNCILOR SANCHEZ.**

**COUNCIL PRESIDENT MILLER Refers item 12 to the Special Committee on
Environment & Resiliency.**

RESULT: REFERRED
TO: Special Committee on Environment and Resiliency

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT MILLER, COUNCILORS ANDERBOIS, SANCHEZ, COUNCILMEN ESPINAL, GONCALVES, COUNCILWOMEN GRAVES, PETERSON, COUNCILORS PICHARDO, ROIAS, COUNCILMAN TAYLOR, COUNCILWOMAN VARGAS AND COUNCILMAN VARGAS

Resolution Declaring the Month of June to be National Pride Month.

WHEREAS, June is Pride month, a time to celebrate and affirm that lesbian, gay, bisexual, transgender, queer, intersex, and asexual (LGBTQIA) rights are human rights; and

WHEREAS, The origin of Pride is the Stonewall Uprising of 1969, in which LGBTQIA community members affirmed their right to live free of harassment, prejudice, and violence; and

WHEREAS, The Providence City Council affirms the right of all residents to live and work in a safe and inclusive community free from discrimination; and

WHEREAS, Discrimination, bullying, violence, and a lack of acceptance continues to contribute to higher rates of school dropouts, youth homelessness, and ongoing mental health challenges for LGBTQIA youth; and

WHEREAS, Adult members of the LGBTQIA community continue to face discrimination, inequity in opportunity, and violence, simply for expressing their full humanity, and this is especially true for trans women and trans women of color; and

WHEREAS, Education regarding LGBTQIA issues supported by a legal framework that outlaws discrimination in employment, housing, financial transactions, and other services is important to help increase safety and respect for LGBTQIA members.

NOW, THEREFORE, BE IT RESOLVED, That Providence City Council welcomes June as Pride month as a celebration of LGBTQIA members and a call to action to expand equity, diversity, community safety for all residents.

BE IT FURTHER RESOLVED, That Providence City Council celebrates and recognizes the contributions, struggles, risks, and many identities of Providence's LGBTQIA community and their families and proudly affirms that love is love.

BE IT FURTHER RESOLVED, That the Providence City Council hereby recognizes June as Pride Month in perpetuity.

BE IT FURTHER RESOLVED, That Providence City Council wishes the LGBTQIA community and straight allies a very happy Pride month, and encourages safe celebrations.

COUNCIL PRESIDENT MILLER, COUNCILORS SANCHEZ, ANDERBOIS, COUNCILMEN ESPINAL, GONCALVES, COUNCILWOMAN PETERSON, COUNCILORS PICHARDO, ROIAS, COUNCILMAN TAYLOR, COUNCILWOMAN VARGAS AND COUNCILMAN VARGAS

Resolution Engaging Steve Smith of Steve Smith Consulting, LLC as a consultant to the City Council.

WHEREAS, This resolution is authorizing the City Council President to engage Steve Smith of Steve Smith Consulting, LLC, at a cost of no more than five thousand (\$5,000.00) dollars a month not to exceed sixty thousand (\$60,000.00) dollars annually, to provide education policy advice and guidance as it relates to the return of the Providence Public School system back to local control; and

WHEREAS, Steve Smith has over forty years of education experience in Rhode Island including his time as a teacher and as the President of the local chapter of the American Federation of Teachers. Steve also brings twenty years of experience as a State Representative and a unique understanding of legislative processes at both the state and local levels; and

WHEREAS, Section 401 (D) of the City’s Home Rule Charter authorizes the City Council “To retain by majority vote of the entire city council and to fix the salaries of those consultants it deems necessary for the exercise of its functions including, but not limited to accountants, engineers, and other experts not regularly employed in any city department or service. The city council shall have the power to appropriate funds to defray the costs thereof”; and

WHEREAS, It would be extremely beneficial to have a consultant on call to advise and support the City Council in the work to return the Providence Public School system back to local control.

NOW, THEREFORE, BE IT RESOLVED, That pursuant to Section 401 (d) of the Providence Home Rule Charter, the City Council of the City of Providence hereby authorizes the City Council President to sign an agreement with Steve Smith of Steve Smith Consulting, LLC to provide education policy advice and guidance as it relates to the return of the Providence Public School system back to local control.

COUNCILMAN TAYLOR Moves to Waive the Reading of items 13 and 14 and Pass on a Voice Vote, Seconded by COUNCILOR SANCHEZ.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilor Sanchez
AYES:	Council President Miller, Councilor AnderBois, Councilmen Espinal, Goncalves, Councilwomen Graves, Peterson, Councilors Pichardo, Roias, Sanchez, Councilmen Taylor and Vargas – 11.
ABSENT:	Councilwomen Anthony, Harris, Ryan and Vargas – 4.

The Motion for Passage is Sustained.

**COUNCIL PRESIDENT MILLER, COUNCILOR SANCHEZ AND
COUNCILMAN VARGAS**

Resolution Requesting a presentation from Wistow, Sheehan & Loveley, P.C. (“WSL”) regarding their investigation into Case No. PC-2020-04757.

**COUNCILMAN TAYLOR Moves to Waive the Reading of item 15, Seconded by
COUNCILOR SANCHEZ.**

COUNCIL PRESIDENT MILLER Refers item 15 to the Committee on Finance.

RESULT:	REFERRED
TO:	Committee on Finance

COUNCILMAN GONCALVES

Resolution Opposing the Designation of the Director of the Rhode Island Department of Transportation as the Board Chair of the Rhode Island Public Transit Authority.

WHEREAS, The Rhode Island Public Transit Authority (RIPTA) plays a crucial role in providing accessible and efficient public transportation services to the residents of Rhode Island; and

WHEREAS, The proposed Senate bill sponsored by Senate President Dominick Ruggiero seeks to add an additional member to the RIPTA Board of Directors and designate the Director of the Rhode Island Department of Transportation (RIDOT) as the board's chair; and

WHEREAS, This proposed change would result in the automatic demotion of the current board chair, who was appointed based on their qualifications and experience; and

WHEREAS, It is crucial for RIPTA to maintain its independence in order to make decisions that prioritize the needs of public transportation users and the communities it serves; and

WHEREAS, The changes being proposed may cause a disturbance in the current balance of expertise and perspectives on the board, which could potentially harm the efficient governance and decision-making process of RIPTA.

NOW, THEREFORE, BE IT RESOLVED, That the Providence City Council hereby opposes the designation of the Director of RIDOT as RIPTA’s board chair.

BE IT FURTHER RESOLVED, That upon passage, copies of this resolution be transmitted to the Honorable Mayor of Providence, the Senate President, the RIPTA Board of Directors, and the Director of RIDOT.

**COUNCILMAN GONCALVES, COUNCILOR SANCHEZ, COUNCIL
PRESIDENT MILLER, COUNCILOR ANDERBOIS, COUNCILWOMEN
GRAVES, PETERSON, COUNCILOR ROIAS AND COUNCILWOMAN
VARGAS**

Resolution Affirming Providence's commitment to inclusivity of the Non-Binary Gender Community and promising the introduction and implementation of an ordinance for mandatory Gender-Neutral Bathrooms in all public buildings.

WHEREAS, The City of Providence and the Providence City Council acknowledges the inherent worth of all its residents, dignity and humanity irrespective of their sexual orientation, gender identity or expression; and

WHEREAS, The City of Providence and the Providence City Council is committed to upholding the principles of diversity, equality, and inclusivity, thereby ensuring an environment where everyone is heard, seen, respected, safe, and free from prejudice and discrimination; and

WHEREAS, Access to public restrooms can pose significant challenges and risks for individuals who identify as non-binary, lesbian, gay, bisexual, transgender, queer or questioning, intersex, asexual, two-spirit, plus (LGBTQIA2S+); and

WHEREAS, The Providence City Council recognizes the need for change to improve the inclusivity and accessibility of our public spaces for all residents, including those who identify as LGBTQIA2S+; and

WHEREAS, The provision of at least one gender-neutral bathroom in all public buildings is one step towards making our city a more inclusive, safe and welcoming place for every Providence citizen, regardless of gender identity or expression.

NOW, THEREFORE, BE IT RESOLVED, That the Providence City Council hereby affirms its steadfast commitment to the safety, inclusivity, and welcoming of gender-non binary and the LGBTQIA2S+ community within its jurisdiction.

BE IT FURTHER RESOLVED, That the Providence City Council pledges to draft and pass an ordinance mandating that every public building in the City of Providence includes at least one gender-neutral bathroom, or, at the very least, provides bathroom access according to each individual's self-identified gender identity.

BE IT FURTHER RESOLVED, All City departments and city agencies are directed to work cooperatively to ensure the swift and effective implementation of the proposed ordinance once enacted.

BE IT FURTHER RESOLVED, The City Council encourages institutions to follow this example of inclusivity and to consider the specific needs and rights of the non-binary and/or LGBTQIA2S+ community in their policies and practices.

COUNCILMEN TAYLOR AND VARGAS

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2023 H-6219 and Senate Bill 2023 S-0669, An Act Relating to Alcoholic Beverages - Retail Licenses.

WHEREAS, House Bill H-6219 and Senate Bill S-669 would allow the Providence Board of Licenses to grant an exemption relating to the issuance of a Class BL or Class BV alcoholic beverage retail licenses for the property located at 777 Elmwood Avenue.

NOW, THEREFORE, BE IT RESOLVED, That the Providence City Council hereby supports and urges passage of House Bill H-6219 and Senate Bill S-669, An Act Relating to Alcoholic Beverages - Retail Licenses

BE IT FURTHER RESOLVED, That upon passage, copies of this resolution be transmitted to the Speaker of the House, the Senate President, and the Providence Delegation.

COUNCILMAN TAYLOR Moves to Waive the Reading of items 16 through 18 and Pass on a Voice Vote, Seconded by COUNCILOR SANCHEZ.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilor Sanchez
AYES:	Council President Miller, Councilor AnderBois, Councilmen Espinal, Goncalves, Councilwomen Graves, Peterson, Councilors Pichardo, Roias, Sanchez, Councilmen Taylor and Vargas – 11.
ABSENT:	Councilwomen Anthony, Harris, Ryan and Vargas – 4.

The Motion for Passage is Sustained.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilor Sanchez
AYES:	Council President Miller, Councilor AnderBois, Councilmen Espinal, Goncalves, Councilwomen Graves, Peterson, Councilors Pichardo, Roias, Sanchez, Councilmen Taylor and Vargas – 11.
ABSENT:	Councilwomen Anthony, Harris, Ryan and Vargas – 4.

The Motion for Passage is Sustained.

Communication from His Honor the Mayor, dated May 8, 2023, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 604 of the Providence Home Rule Charter of 1980, as amended, and Public Law Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day appointing **Jeanne M. Pascone** of 10 Orchard Street, East Providence, Rhode Island 02914, as the **Recorder of Deeds** and respectfully submits the same for your approval.

Communication from His Honor the Mayor, dated May 15, 2023, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 901 of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day appointing **Paul A.N. Winspeare** of 173 Pilgrim Lane, West Suffield, CT 06093, to the position of **Chief Human Resources Officer**.

COUNCILMAN TAYLOR Moves to Waive the Reading of items 21 and 22 and Receive and Approve, Seconded by COUNCILOR SANCHEZ.

RESULT:	RECEIVED AND APPROVED [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilor Sanchez
AYES:	Council President Miller, Councilor AnderBois, Councilmen Espinal, Goncalves, Councilwomen Graves, Peterson, Councilors Pichardo, Roias, Sanchez, Councilmen Taylor and Vargas – 11.
ABSENT:	Councilwomen Anthony, Harris, Ryan and Vargas – 4.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

Jeremy Costa
Ana Dilone, Miriam Rodriguez and Amaiah Coburn
(Frank L. Orabona, Jr., Esquire)
Nicole Camara
Solomon Idolor
(Joseph J. Voccola, Esquire)
Delmarie Rivera
Jonathan Morla
American Commerce Insurance Company
a/s/o Christina Messina

COUNCILMAN TAYLOR Moves to Waive the Reading of item 23 and Severally Refer to Committee on Claims and Pending Suits, Seconded by COUNCILOR SANCHEZ.

RESULT:	REFERRED
TO:	Committee on Claims and Pending Suits

COMMUNICATIONS AND REPORTS

Report from Major Henry Remolina, Providence Police Department, dated May 29, 2023, submitting the ALPR Flock 30 Day Report from April 30, 2023 through May 29, 2023.

COUNCILMAN TAYLOR Moves to Waive the Reading of item 24, Seconded by COUNCILOR SANCHEZ.

COUNCIL PRESIDENT MILLER Receives item 24.

RESULT:	RECEIVED
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PERSONAL EXPRESSION

COUNCILMAN TAYLOR Requests the privilege of the floor to speak on a Point of Personal Expression and states:

"I would like to take a moment and say our prayers for our colleague Chairwoman Helen Anthony. As most people know or don't know this past Saturday she was in California walking across a sidewalk in the Pacific Coast in Monterey and she was struck by an 82 year old male in a 2013 Polaris and she is stable condition but still in ICU. So, I would like to at this point in time have a moment of silence and a prayer for her speedy recovery."

PRESENTATION OF RESOLUTIONS "IN CONGRATULATIONS"

COUNCIL PRESIDENT MILLER AND MEMBERS OF THE CITY COUNCIL

Resolution Extending Congratulations.

COUNCILMAN TAYLOR Moves to Waive the Reading of item 25 and Pass on a Voice Vote, Seconded by **COUNCILOR SANCHEZ**.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilor Sanchez
AYES:	Council President Miller, Councilor AnderBois, Councilmen Espinal, Goncalves, Councilwomen Graves, Peterson, Councilors Pichardo, Roias, Sanchez, Councilman Taylor, Councilwoman Vargas and Councilman Vargas – 12.
ABSENT:	Councilwomen Anthony, Harris and Ryan – 3.

The Motion for Passage is Sustained.

CONVENTION

There being no further business, on Motion of **COUNCILMAN TAYLOR**, Seconded by **COUNCILOR SANCHEZ**, it is voted to adjourn in memory of Mattie L. Smith at 6:22 o'clock P.M., to meet again **THURSDAY, JUNE 16, 2023 at 4:30 o'clock P.M.**



TINA L. MASTROIANNI
CITY CLERK

This meeting was recorded and the video may be viewed on demand via the internet. Please visit the City Clerk web site or contact us directly for details.

The City of Providence is committed to providing individuals with disabilities an equal opportunity to participate and benefit from the City's programs, activities and services. If you have a disability and require accommodations in order to fully participate in this activity, contact Leonela Felix, Esq., Ethics Education and ADA Coordinator at 401-680-5333 or LFelix@ProvidenceRI.gov. Providing at least 72 hours' notice will help to ensure availability.