

City of Providence
STATE OF RHODE ISLAND

RESOLUTION OF THE CITY COUNCIL

No. 305

EFFECTIVE July 26, 2021

WHEREAS, Mayor Jorge Elorza entered into a License Agreement with Achievement First Rhode Island, Inc. (hereinafter "AFRI") whereby AFRI will rent a portion of the property located at 234 Daboll Street, Providence, Rhode Island, known as the former Charles M. Fortes Elementary School, for the purpose of operating a public charter school beginning Fall of 2021; and

WHEREAS, While characterized as a "License Agreement", this agreement is essentially a Lease Agreement; and

WHEREAS, Pursuant to Section 416(6) of the City Charter, "Any lease of city-owned real property shall be authorized by resolution of the city council; If the city council does not take any action within forty (40) days of receipt of the proposed lease, the lease shall take effect."; and

WHEREAS, City council was never provided a copy of the License Agreement for review; and

WHEREAS, There is precedent for City Council invoking its authority on issues such as the leasing of public school buildings to charter schools. In 2015, the International Charter School was interested in leasing space at the Windmill Street School. On March 19, 2015, the City Council reviewed a communication from the Director of Public Property to review the lease of the Windmill Street School Building to the charter school. On May 18, 2015, the City Property Committee reviewed the request. A number of issues were raised, and the City decided not to go forward with the lease. Later, the City Council decided to renovate the building and return it as swing space; and

WHEREAS, If the City Council does not intervene and exercise its oversight of this lease, this will create a bad precedent.

NOW, THEREFORE, BE IT RESOLVED, That the City Council hereby requests that the Mayor not move forward with the proposed License agreement without first presenting said Agreement to the City Council for review in accordance with the terms of the City Charter, Section 416(6).

BE IT FURTHER RESOLVED, That, upon passage, copies of this resolution be sent to the Governor of the State of Rhode Island, the Commissioner of Elementary and Secondary Education for the State of Rhode Island, the Interim Superintendent of the Providence Public School District, the Mayor of Providence, and the City Solicitor.

IN CITY COUNCIL
JUL 15 2021

READ AND PASSED


JOHN J. IGLIOZZI, PRESIDENT

Tina L. Mastroianni
ACTING CLERK

Effective without the
Mayor's Signature



Tina L. Mastroianni
Acting City Clerk