

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 3 City Council Regular Meeting, Thursday, January 21, 1999, 7:30 o'clock P.M. (E.S.T.)

PRESIDING

COUNCIL PRESIDENT PRO TEMPORE

BALBINA A. YOUNG

ROLL CALL

Present: Council President Pro Tempore Young, Councilmen Allen, Aponte, Butler, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliazzi, Jackson, Council President Lombardi, Councilman Mancini, Councilwomen Nolan, Romano and Williams—15.

Absent: None.

IN CITY COUNCIL

MAR 3 0 1999

APPROVED:

Richard A. Clement
CLERK

INVOCATION

The Invocation is given by Reverend
NAOMI E. CRAIG, Pastor of Sheldon Street
Church, Providence, Rhode Island.

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

COUNCILMAN RONALD W. ALLEN 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 RECORDS

The Journal of Proceedings No. 105 of the
Regular Meeting of the City Council held
November 19, 1998; Journal of Proceedings
No. 106 of the Regular Meeting of the City
Council held December 3, 1998; Journal of
Proceedings No. 107 of the Regular Meeting
of the City Council held December 17, 1998,
and Posted January 14, 1999, on that
Bulletin Board located on the Ground Floor
Level of City Hall, are approved as printed,
on motion of COUNCILMAN ALLEN, sec-
onded by COUNCILWOMAN WILLIAMS.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated December 28, 1998, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980 and Rhode Island Public Law of 1980, Chapter 84, he is this day reappointing Mr. Artin Coloian of 360 Adelaide Avenue, Providence, Rhode Island, a Member of the Convention Authority of the City of Providence for a three (3) year term to expire in December, 2001.

Received.

Communication dated December 28, 1998, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980 and Rhode Island Public Law of 1980, Chapter 84, he is this day appointing Mr. Lee Esckilsen, Providence Civic Center, One LaSalle Square, Providence, Rhode Island, a Member of the Convention Authority of the City of Providence for a two (2) year term to expire in December, 2000.

Received.

Communication dated January 4, 1999, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1009 of the Providence Home Rule Charter of 1980, he is this day reappointing Mr. Ralph Lennon of 652 River Avenue, Providence, Rhode Island, a Member of the Zoning Board of

Review for a term expiring in January, 2004 and respectfully submits the same for your approval.

**COUNCIL PRESIDENT PRO TEM-
PORE YOUNG** Receives the Communica-
tion and Refers the Same to the Committee
on Finance.

**The motion to Receive and Refer is
Sustained.**

Communication dated January 4, 1999, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1011 of the Providence Home Rule Charter of 1980, he is this day reappointing Arthur F. Salisbury of 261 Olney Street, Providence, Rhode Island, a Member of the Building Board of Review for a term expiring in January, 2004 and respectfully submits the same for your approval.

**COUNCIL PRESIDENT PRO TEM-
PORE YOUNG** Receives the Communica-
tion and Refers the Same to the Committee
on Finance.

**The motion to Receive and Refer is
Sustained.**

Communication dated January 4, 1999, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and

1010 of the Providence Home Rule Charter of 1980, he is this day reappointing Dr. Louis C. Bruno of 741 Smith Street, Providence, Rhode Island, a Member of the Housing Board of Review for a term to expire in January, 2004 and respectfully submits the same for your approval.

**COUNCIL PRESIDENT PRO TEM-
PORE YOUNG** Receives the Communica-
tion and Refers the Same to the Committee
on Finance.

The motion to Receive and Refer is
Sustained.

Communication dated January 4, 1999,
Informing the Honorable Members of the City
Council that pursuant to Sections 302(b) and
701 of the Providence Home Rule Charter of
1980, he is this day reappointing Mr. Juan
Lopez, Jr. of 53 Maude Street, Providence,
Rhode Island, a Member of the Providence
School Board for a term to expire on the First
Monday in January, 2002 and respectfully
submits the same for your approval.

**COUNCIL PRESIDENT PRO TEM-
PORE YOUNG** Receives the Communica-
tion and Refers the Same to the Committee
on Finance.

The motion to Receive and Refer is
Sustained.

Communication dated January 4, 1999,
Informing the Honorable Members of the City
Council that pursuant to Sections 302(b) and
701 of the Providence Home Rule Charter of
1980, he is this day reappointing Ms. Gertrude
F. Blakey of 115 Sinclair Avenue, Apartment
2, Providence, Rhode Island, a Member of the
Providence School Board for a term to expire
in January, 2002 and respectfully submits the
same for your approval.

**COUNCIL PRESIDENT PRO TEM-
PORE YOUNG** Receives the Communica-
tion and Refers the Same to the Committee
on Finance.

The motion to Receive and Refer is
Sustained.

Communication dated January 12, 1999,
Informing the Honorable Members of the City
Council that pursuant to Sections 302(b) and
1101 of the Providence Home Rule Charter of
1980, he is this day reappointing Mr. Armando
Parillo of 56 Magdalene Street, Providence,
Rhode Island, a Member of the Providence
Water Supply Board for a term to expire in
January, 2003.

Received.

ORDINANCES SECOND READING

The following Ordinances were in City Council January 7, 1999, Read and Passed the First Time and are severally returned for Passage the Second Time:

An Ordinance establishing a Tax Stabilization Plan for Rawcliffe Corporation.

Be it ordained by the City of Providence:

Preamble

Whereas, the City Council, pursuant to Section 43-3-3.1 and Section 44-3-9 of the General Laws of the State of Rhode Island, as amended, has the authority to exempt property used for industrial or 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

Whereas, Rawcliffe Corporation has made application under, and has satisfied each condition of the above mentioned sections of the Rhode Island General Laws; and

Whereas, Rawcliffe Corporation is a commercial concern who intends to relocate its facility to the City of Providence and agrees, as a condition of the hereinafter referenced "tax treaty," to increase its workforce in the City of Providence, by virtue of such relocation to 175 Dupont Drive, in Providence, Rhode Island 02907, on Assessor's Plat 50, Lot 729 and ("Project"); and

Whereas, the Project will cause an increase in the tax base of the City and will increase employment opportunities in the City; and

Whereas, it is in the interest of the residents of the City of Providence to grant such an exemption to induce the development and construction of the Project in the City, and such exemption will inure to the benefit of the City;

Be it ordained by the City of Providence:

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

Section 2. As long as Rawcliffe Corporation owns or operates the facility, it will continue to pay taxes on the facility. Rawcliffe Corporation, its successors and assigns, agree that this property will be subject to full taxation at the expiration of the tax treaty. Rawcliffe Corporation also agrees not to transfer the property to a tax-exempt entity or to allow any transfer by any subsequent transferee to a tax-exempt entity during the term of the tax treaty. Rawcliffe Corporation is also required as a condition precedent to this tax treaty to record notice of the requirement that the property covered by this Ordinance be transferred only to a tax paying entity during the term of the tax treaty in the Land Evidence Records of the City of Providence. Notwithstanding this provision, in the event that the successor to the property does not make the payments under the tax treaty, Rawcliffe Corporation will be responsible to make payments in lieu of taxes to the City of Providence in the amounts set forth in the attached schedule during the term

of the tax treaty. In the event that the property covered by this Ordinance is transferred to a tax-exempt entity, whether by Rawcliffe Corporation or any subsequent transferee to such property, Rawcliffe Corporation will be responsible to make payments in lieu of taxes to the City of Providence during the term of the tax treaty equal to the amount of taxes which would have been paid to the City of Providence if such prohibition against transfer to a tax-exempt entity had not been violated. Notwithstanding anything to the contrary herein or in the tax treaty used in connection herewith, the provisions of this Section 2. 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 3. It shall be the goal of Rawcliffe Corporation to award to Minority Business Enterprises as defined in Rhode Island General Laws, Section 37-14.1 ("MBE Act") no less than 10% of the dollar value of the construction costs for the Project (as determined in accordance with the rules and regulations promulgated pursuant to the MBE act). It shall be Rawcliffe Corporation's further goal to award to women business enterprises (WBE) no less than 10% of the dollar value of the construction costs for the project (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 Rawcliffe Corporation to achieve a minimum level of 10% for minority and 10% for female employment.

Section 4. Rawcliffe Corporation shall employ a minimum of twenty five (25) employees at the facility located at 175 Dupont Drive in Providence upon occupancy of said facility. In accordance with this section, Rawcliffe Corporation shall give preferential consideration to qualified applicants who reside

in the City of Providence with regard to all hiring decisions during the term of this tax treaty. Failure to generate the required additional new jobs within twenty-four (24) months of the date of occupancy, shall render the treaty null and void, unless so waived by the City Council. The treaty being rendered null and void shall require the owner of the property to pay all taxes and fees as due and owing as if no treaty had been entered.

Section 5. The schedules listed below are based upon information provided to the Tax Assessor by Rawcliffe Corporation 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.

Section 6. That the real property taxes and tangible 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 1998 fiscal year. This treaty is conditioned upon Rawcliffe Corporation owing no back taxes to the City of Providence or remaining current on a payment plan approved by the Tax Collector. Failure to make said timely payments may render this treaty null and void at the sole discretion of the City of Providence. The treaty being rendered null and void would require the owner to pay all taxes and fees as due and owing as if no treaty had been approved.

Section 7. That the City in accordance with Section 44-3-3.1 and Section 44-3-9 of the Rhode Island General Laws hereby grants an exemption from taxation of real property to Rawcliffe Corporation for the real property located at 175 Dupont Drive, Providence, Rhode Island, Assessor's Plat 50, Lot 729, and the

personal property located at said location which is used exclusively for and in connection with the operations of Rawcliffe Corporation at said location, in accordance with the schedules listed in Exhibit A, attached hereto and made a part hereof.

Section 8. This Ordinance shall take effect upon its passage.

Read and Passed the Second Time, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Pro Tempore Young, Councilmen Allen, Aponte, Butler, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzi, Jackson, Lombardi, Mancini, Councilwomen Nolan, Romano and Williams—15.

Noes: None.

Absent: None.

The motion for Passage the Second Time is Unnanimously Sustained.

An Ordinance establishing a Tax Stabilization Plan for R.D.W. Group, Inc.

Be it ordained by the City of Providence:

Preamble

Whereas, the City Council, pursuant to Section 43-3-3.1 and Section 44-3-9 of the General Laws of the State of Rhode Island, as amended, has the authority to exempt property

used for industrial or 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

Whereas, RDW Group, Inc. has made application under, and has satisfied each condition of the above mentioned sections of the Rhode Island General Laws; and

Whereas, RDW Group, Inc. is a commercial concern who intends to relocate its facility to the City of Providence and agrees, as a condition of the hereinafter referenced "tax treaty," to increase its workforce in the City of Providence, by virtue of such relocation to the corner of Smith and Holden Streets, specifically 193 Smith Street and 145 Holden Street in Providence, Rhode Island 02907, on Assessor's Plat 68, Lots 335, 678, 680, 681, 709, 711, 713, 755 and 756 and ("Project"); and

Whereas, the Project will cause an increase in the tax base of the City and will increase employment opportunities in the City; and

Whereas, it is in the interest of the residents of the City of Providence to grant such an exemption to induce the development and construction of the Project in the City, and such exemption will inure to the benefit of the City;

Be it ordained by the City of Providence:

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

Section 2. As long as RDW Group, Inc. owns or operates the facility, it will continue to pay taxes on the facility. RDW Group, Inc., its successors and assigns, agree that this property will be subject to full taxation at the expiration

of the tax treaty. RDW Group, Inc. also agrees not to transfer the property to a tax-exempt entity or to allow any transfer by any subsequent transferee to a tax-exempt entity during the term of the tax treaty. RDW Group, Inc. is also required as a condition precedent to this tax treaty to record notice of the requirement that the property covered by this Ordinance be transferred only to a tax paying entity during the term of the tax treaty in the Land Evidence Records of the City of Providence. Notwithstanding this provision, in the event that the successor to the property does not make the payments under the tax treaty, RDW Group, Inc. will be responsible to make payments in lieu of taxes to the City of Providence in the amounts set forth in the attached schedule during the term of the tax treaty. In the event that the property covered by this Ordinance is transferred to a tax-exempt entity, whether by RDW Group, Inc. or any subsequent transferee to such property, RDW Group, Inc. will be responsible to make payments in lieu of taxes to the City of Providence during the term of the tax treaty equal to the amount of taxes which would have been paid to the City of Providence if such prohibition against transfer to a tax-exempt entity had not been violated. Notwithstanding anything to the contrary herein or in the tax treaty used in connection herewith, the provisions of this Section 2. 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 3. It shall be the goal of RDW Group, Inc. to award to Minority Business Enterprises as defined in Rhode Island General Laws, Section 37-14.1 ("MBE Act") no less than 10% of the dollar value of the construction costs for the Project (as determined in accordance with the rules and regulations promulgated pursuant

to the MBE act). It shall be RDW Group, Inc.'s further goal to award to women business enterprises (WBE) no less than 10% of the dollar value of the construction costs for the project (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 RDW Group, Inc. to achieve a minimum level of 10% for minority and 10% for female employment.

Section 4. RDW Group, Inc. shall increase their employees by a minimum of twenty (20) employees at the facility located at the corner of Smith and Holden Streets in Providence during the ten (10) year term of this treaty. In accordance with this section, RDW Group, Inc. shall give preferential consideration to qualified applicants who reside in the City of Providence with regard to all hiring decisions during the term of this tax treaty. Failure to generate the required additional new jobs within the term of this treaty shall render the treaty null and void, unless so waived by the City Council. The treaty being rendered null and void shall require the owner of the property to pay all taxes and fees as due and owing as if no treaty had been entered.

Section 5. The schedules listed below are based upon information provided to the Tax Assessor by RDW Group, Inc. 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.

Section 6. That the real property taxes and tangible 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 1998 fiscal year. This treaty is conditioned upon RDW Group, Inc. owing no back taxes to the City of Providence or

remaining current on a payment plan approved by the Tax Collector. Failure to make said timely payments may render this treaty null and void at the sole discretion of the City of Providence. The treaty being rendered null and void would require the owner to pay all taxes and fees as due and owing as if no treaty had been approved.

Section 7. That the City in accordance with Section 44-3-3.1 and Section 44-3-9 of the Rhode Island General Laws hereby grants an exemption from taxation of real property to RDW Group, Inc. for the real property located at the corner of Smith and Holden Streets in Providence, Rhode Island, Assessor's Plat 68, Lots 335, 678, 680, 681, 709, 711, 713, 755 and 756.

Section 8. This Ordinance shall take effect upon its passage.

Read and Passed the Second Time, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Pro Tempore Young, Councilmen Allen, Aponte, Butler, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliozzi, Jackson, Lombardi, Mancini, Councilwomen Nolan, Romano and Williams—15.

Noes: None.

Absent: None.

The motion for Passage the Second Time is Unanimously Sustained.

An Ordinance establishing a Tax Stabilization Plan for Mendez Real Estate on behalf of Pena Providence Corporation for 863 Broad Street.

Be it ordained by the City of Providence:

Preamble

Whereas, the City Council, pursuant to Section 43-3-3.1 and Section 44-3-9 of the General Laws of the State of Rhode Island, as amended, has the authority to exempt property used for industrial or 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

Whereas, Mendez Real Estate on behalf of Pena Providence Corporation has made application under, and has satisfied each condition of the above mentioned sections of the Rhode Island General Laws; and

Whereas, Mendez Real Estate on behalf of Pena Providence Corporation is a commercial concern who intends to relocate its facility to the City of Providence and agrees, as a condition of the hereinafter referenced "tax treaty," to increase its workforce in the City of Providence, by virtue of such relocation to 863 Broad Street, in Providence, Rhode Island 02907, on Assessor's Plat 52, Lot 11 and ("Project"); and

Whereas, the Project will cause an increase in the tax base of the City and will increase employment opportunities in the City; and

Whereas, it is in the interest of the residents of the City of Providence to grant such an exemption to induce the development and

construction of the Project in the City, and such exemption will inure to the benefit of the City;

Be it ordained by the City of Providence:

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

Section 2. As long as Mendez Real Estate on behalf of Pena Providence Corporation owns or operates the facility, it will continue to pay taxes on the facility. Mendez Real Estate on behalf of Pena Providence Corporation, its successors and assigns, agree that this property will be subject to full taxation at the expiration of the tax treaty. Mendez Real Estate on behalf of Pena Providence Corporation also agrees not to transfer the property to a tax-exempt entity or to allow any transfer by any subsequent transferee to a tax-exempt entity during the term of the tax treaty. Mendez Real Estate on behalf of Pena Providence Corporation is also required as a condition precedent to this tax treaty to record notice of the requirement that the property covered by this Ordinance be transferred only to a tax paying entity during the term of the tax treaty in the Land Evidence Records of the City of Providence. Notwithstanding this provision, in the event that the successor to the property does not make the payments under the tax treaty, Mendez Real Estate on behalf of Pena Providence Corporation will be responsible to make payments in lieu of taxes to the City of Providence in the amounts set forth in the attached schedule during the term of the tax treaty. In the event that the property covered by this Ordinance is transferred to a tax-exempt entity, whether by Mendez Real Estate on behalf of Pena Providence Corporation or any subsequent transferee to such property, Mendez Real Estate on behalf of Pena Providence Corporation will

be responsible to make payments in lieu of taxes to the City of Providence during the term of the tax treaty equal to the amount of taxes which would have been paid to the City of Providence if such prohibition against transfer to a tax-exempt entity had not been violated. Notwithstanding anything to the contrary herein or in the tax treaty used in connection herewith, the provisions of this Section 2. 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 3. It shall be the goal of Mendez Real Estate on behalf of Pena Providence Corporation to award to Minority Business Enterprises as defined in Rhode Island General Laws, Section 37-14.1 ("MBE Act") no less than 10% of the dollar value of the construction costs for the Project (as determined in accordance with the rules and regulations promulgated pursuant to the MBE act). It shall be Mendez Real Estate on behalf of Pena Providence Corporation's further goal to award to women business enterprises (WBE) no less than 10% of the dollar value of the construction costs for the project (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 Mendez Real Estate on behalf of Pena Providence Corporation to achieve a minimum level of 10% for minority and 10% for female employment.

Section 4. Mendez Real Estate on behalf of Pena Providence Corporation shall employ a minimum of thirty five (35) employees at the facility located at 863 Broad Street in Providence upon occupancy of said facility. In accordance with this section, Mendez Real Estate on behalf of Pena Providence Corporation shall give preferential consideration to qualified applicants who reside in the City of Providence with regard to all hiring decisions

during the term of this tax treaty. Failure to generate the required additional new jobs within twenty-four (24) months of the date of occupancy, shall render the treaty null and void, unless so waived by the City Council. The treaty being rendered null and void shall require the owner of the property to pay all taxes and fees as due and owing as if no treaty had been entered.

Section 5. The schedules listed below are based upon information provided to the Tax Assessor by Mendez Real Estate on behalf of Pena Providence Corporation 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.

Section 6. That the real property taxes and tangible 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 1998 fiscal year. This treaty is conditioned upon Mendez Real Estate on behalf of Pena Providence Corporation owing no back taxes to the City of Providence or remaining current on a payment plan approved by the Tax Collector. Failure to make said timely payments may render this treaty null and void at the sole discretion of the City of Providence. The treaty being rendered null and void would require the owner to pay all taxes and fees as due and owing as if no treaty had been approved.

Section 7. That the City in accordance with Section 44-3-3.1 and Section 44-3-9 of the Rhode

Island General Laws hereby grants an exemption from taxation of real property to Mendez Real Estate on behalf of Pena Providence Corporation for the real property located at 863 Broad Street, Providence, Rhode Island, Assessor's Plat 52, Lot 11, and the personal property located at said location which is used exclusively for and in connection with the operations of Mendez Real Estate on behalf of Pena Providence Corporation at said location, in accordance with the schedules listed in Exhibit A, attached hereto and made a part hereof.

Section 8. This Ordinance shall take effect upon its passage.

Read and Passed the Second Time, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Pro Tempore Young, Councilmen Allen, Aponte, Butler, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzi, Jackson, Lombardi, Mancini, Councilwomen Nolan, Romano and Williams—15.

Noes: None.

Absent: None.

The motion for Passage the Second Time is Unanimously Sustained.

PRESENTATION OF RESOLUTIONS

COUNCILMAN BUTLER (By Request):

Resolution Requesting the Chief Electrical Inspector to upgrade the street lighting along Justice Street in its entirety to 27,500 lumen.

Resolved, That the Chief Electrical Inspector is requested to upgrade the street lighting along Justice Street in its entirety to 27,500 lumen.

Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

Resolution Requesting the Chief Electrical Inspector to cause the installation of a Street Light on Pole No. 14 located along Rankin Avenue.

Resolved, That the Chief Electrical Inspector is requested to cause the installation of a Street Light on Pole No. 14 located along Rankin Avenue.

Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

COUNCILMAN CLARKIN (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Benefit Street between College and Hopkins Streets on Saturday, April 24, 1999 between the hours of 7:00 o'clock A.M. and 12:00 o'clock Midnight to accommodate its Third Annual Fund Raising Gala Event.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Benefit Street between College and Hopkins Streets on Saturday, April 24, 1999 between the hours of 7:00 o'clock A.M. and 12:00 o'clock Midnight to accommodate its Third Annual Fund Raising Gala Event.

Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

COUNCILMAN DeLUCA (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of a "Stop" sign along Cloud Street and Sisson Street.

COUNCIL PRESIDENT PRO TEMPORE YOUNG Refers the Resolution to the Committee on Public Works.

The motion to Refer is Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of a blinking "Caution" light along Mount Pleasant Avenue for the George J. West School.

COUNCIL PRESIDENT PRO TEMPORE YOUNG Refers the Resolution to the Committee on Public Works.

The motion to Refer is Sustained.

COUNCILMAN HASSETT, COUNCILMAN IGLIOZZI, COUNCILMAN JACKSON, COUNCIL PRESIDENT LOMBARDI, COUNCILMAN MANCINI, COUNCILWOMAN NOLAN, COUNCILWOMAN ROMANO, COUNCILWOMAN WILLIAMS, COUNCILWOMAN YOUNG, COUNCILMAN ALLEN, COUNCILMAN APONTE, COUNCILMAN BUTLER, COUNCILMAN CLARKIN, COUNCILMAN DeLUCA and COUNCILWOMAN DIRUZZO:

Resolution Extending sincere congratulations to former Councilman Thomas M. Glavin upon his earning a Bachelor of Arts Degree from Providence College.

Resolved, That the Members of the Providence City Council hereby extend their sincere congratulations to former Councilman Thomas M. Glavin upon his earning a Bachelor of Arts Degree from Providence College.

Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

COUNCILMAN HASSETT, COUNCILMAN BUTLER and COUNCILMAN IGLIOZZI:

Resolution Requesting the the City Controller, or other authorized representative of the City, collect all necessary financial documentation from the Department of Public Safety for costs associated with assigned police personnel monitoring and maintaining peace at the Women and Infants Hospital during the labor disputes there and present a billing statement to the hospital administration for police services rendered.

COUNCIL PRESIDENT PRO TEMPORE YOUNG Refers the Resolution to the Committee on Finance.

The motion to Refer is Sustained.

COUNCILMAN IGLIOZZI, COUNCILMAN JACKSON, COUNCIL PRESIDENT LOMBARDI, COUNCILMAN MANCINI, COUNCILWOMAN NOLAN, COUNCILWOMAN ROMANO, COUNCILWOMAN WILLIAMS, COUNCILWOMAN YOUNG, COUNCILMAN ALLEN, COUNCILMAN APONTE, COUNCILMAN BUTLER, COUNCILMAN CLARKIN, COUNCILMAN DeLUCA, COUNCILWOMAN DIRUZZO and COUNCILMAN HASSETT (By Request):

Resolution Requesting that for all future elections the Secretary of State's Office and Board of Elections make available by request, Large Print Ballot Sheets, (especiall mail-in ballots) in order to make it easier and more legible to vote.

Resolved, That the Secretary of State's Office and Board of Elections are hereby authorized to make available by request, Large Print Ballot Sheets, (especiall mail-in ballots) in order to make it easier and more legible to vote.

Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

COUNCILMAN IGLIOZZI (By Request):

Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill (99-S 136) relating to state affairs and government — enterprise zones.

Resolved, That the City Council endorses and urges passage by the General Assembly of Senate Bill (99-S 136) relating to state affairs and government — enterprise zones, in substantially the form attached.

Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

COUNCILMAN JACKSON and COUNCILWOMAN WILLIAMS (By Request):

Resolution Requesting the Traffic Engineer to study the feasibility of placing a light at the intersection of Hope and Cypress Streets and report back to the Council the number of accidents at this location.

Resolved, That the Traffic Engineer is requested to study the feasibility of placing a light at the intersection of Hope and Cypress Streets and report back to the Council the number of accidents at this location.

Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

COUNCIL PRESIDENT PRO TEMPORE YOUNG, COUNCILMAN ALLEN, COUNCILMAN DeLUCA and COUNCILWOMAN WILLIAMS (By Request):

Resolution creating a Special Committee on Recreation.

Whereas, The Providence City Council is hereby requested to create a Committee on Recreation for the City of Providence, and

Whereas, That said Committee would be in charge of the responsibility to meet with the Director of Recreation and his/her subordinates and Members of the Recreational Advisory Board, and

Whereas, This newly created Committee would meet in order that some concrete discussion would be made relative to the

management and delivery of services to the Providence Taxpayer, and

Whereas, Rule 20 (c) of the said Rules of the City Council does hereby provide for the creation of all Special Committees of the City Council,

Now, therefore, be it Resolved, That pursuant to Rule 20 (c) of the Rules of the Providence City Council, a Special Committee on Recreation is hereby created. That the charge of said Special Committee shall meet with the Director of Recreation, subordinates of any other City Officials which it may deem necessary for the purpose of advising the City Council as to the proper management and delivery of services to the people of the City of Providence, and

Be it further Resolved, That said Special Committee shall consist of five (5) Members of the City Council who shall be appointed by the President of the City Council or the President

Pro Tempore pursuant to said Rule 20 (c) and that the term of said Special Committee shall expire on January 6, 2003.

Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Unanimously Sustained.

Resolution creating a City Council Committee on the Employees' Retirement Board and System.

COUNCIL PRESIDENT PRO TEMPORE YOUNG Refers the Resolution to the Committee on Finance.

The motion to Refer is Sustained.

REPORTS FROM COMMITTEES

CITY COUNCIL AS A WHOLE ELECTIONS OF CERTAIN CITY OFFICERS

ELECTION OF CITY TREASURER:

ACTING COUNCIL PRESIDENT YOUNG calls for nominations for the Office of City Treasurer.

COUNCILWOMAN ROMANO nominates STEPHEN T. NAPOLITANO, and this nomination is seconded by COUNCILWOMAN WILLIAMS.

ACTING COUNCIL PRESIDENT YOUNG calls for further nominations and there being none, on motion of COUNCILMAN ALLEN, seconded by COUNCILMAN DeLUCA, it is voted that nominations be closed and the Clerk is directed to cast one ballot for STEPHEN T. NAPOLITANO.

The Clerk casts one ballot as directed.

ACTING COUNCIL PRESIDENT YOUNG thereupon declares STEPHEN T. NAPOLITANO, duly elected as City Treasurer for the ensuing term of four years ending on the First Monday in January, 2003.

ELECTION OF THREE JUDGES OF PROVIDENCE MUNICIPAL COURT:

ACTING COUNCIL PRESIDENT YOUNG calls for nominations for the Three Judges of the Providence Municipal Court.

COUNCILMAN HASSETT nominates FRANK CAPRIO, ESQUIRE, and this nomination is seconded by COUNCILWOMAN NOLAN.

The Clerk is directed to cast one ballot for FRANK T. CAPRIO, ESQUIRE.

The Clerk casts one ballot as directed.

ACTING COUNCIL PRESIDENT YOUNG calls for further nominations.

COUNCILMAN BUTLER nominates ANTHONY A. GIANNINI, JR. ESQUIRE, and

this nomination is seconded by COUNCILMAN IGLIOZZI.

The Clerk is directed to cast one ballot for ANTHONY A. GIANNINI, JR., ESQUIRE.

The Clerk casts one ballot as directed.

ACTING COUNCIL PRESIDENT YOUNG calls for further nominations.

COUNCILMAN DeLUCA nominates CATHERINE A. GRAZIANO, ESQUIRE, and this nomination is seconded by COUNCILMAN CLARKIN.

The Clerk is directed to cast one ballot for CATHERINE A. GRAZIANO, ESQUIRE.

The Clerk casts one ballot as directed.

ACTING COUNCIL PRESIDENT YOUNG calls for further nominations and there being none, on motion of COUNCILMAN ALLEN, seconded by COUNCILMAN DeLUCA, it is voted that nominations be closed and the Clerk is directed to cast one ballot for FRANK CAPRIO, ESQUIRE, ANTHONY GIANNINI, JR., ESQUIRE and CATHERINE A. GRAZIANO, ESQUIRE.

The Clerk casts one ballot as directed.

ACTING COUNCIL PRESIDENT YOUNG thereupon declares FRANK CAPRIO, ESQUIRE, ANTHONY GIANNINI, JR., ESQUIRE and CATHERINE A. GRAZIANO, ESQUIRE, duly Judges of the Providence Municipal Court for the ensuing term of four years ending on the First Monday in January, 2003.

ELECTION OF CHIEF JUDGE OF PROVIDENCE MUNICIPAL COURT:

ACTING COUNCIL PRESIDENT YOUNG calls for nominations for Chief Judge of the Providence Municipal Court.

COUNCILMAN HASSETT nominates FRANK CAPRIO, ESQUIRE, and this nomination is seconded by COUNCILMAN IGLIOZZI.

ACTING COUNCIL PRESIDENT YOUNG calls for further nominations and there being none, on motion of COUNCILMAN ALLEN, seconded by COUNCILMAN DeLUCA, it is voted that nominations be closed and the Clerk is directed to cast one ballot for FRANK CAPRIO, ESQUIRE.

The Clerk casts one ballot as directed.

ACTING COUNCIL PRESIDENT YOUNG thereupon declares FRANK CAPRIO, ESQUIRE, duly elected as Chief Judge of the Providence Municipal Court for the ensuing term of four years ending on the First Monday in January, 2003.

ELECTION OF CLERK OF PROVIDENCE MUNICIPAL COURT:

ACTING COUNCIL PRESIDENT YOUNG calls for nominations for the Clerk of the Providence Municipal Court.

COUNCILMAN CLARKIN nominates LOUIS A. PAVAO, and this nomination is seconded by COUNCIL PRESIDENT LOMBARDI.

ACTING COUNCIL PRESIDENT YOUNG calls for further nominations and there being none, on motion of COUNCILMAN ALLEN, seconded by COUNCILMAN DeLUCA, it is voted that nominations be closed and the Clerk is directed to cast one ballot for LOUIS A. PAVAO.

The Clerk casts one ballot as directed.

ACTING COUNCIL PRESIDENT YOUNG thereupon declares LOUIS A. PAVAO, duly elected as Clerk of the Providence Municipal Court for the ensuing term of four years ending on the First Monday in January, 2003.

Transmits the following with recommendation the same be Approved:

Rules of the City Council for the ensuing Term
January 7, 1999 to January 6, 2003.

Rules of the Providence City Council

The following Rules are hereby adopted as the Rules of the City Council for the ensuing term 1999 - 2003 pursuant to the United States Constitution, the General Laws of the State of Rhode Island and the Providence Home Rule Charter.

Rule 1. President and President Pro Tempore:

(a) The President of the City Council and in his/her absence, the President Pro Tempore of the City Council, shall preside over all regular and special meetings of the City Council. In case of the absence of both the President and the President Pro Tempore, or the inability of both of them to discharge the duties of the office of President, or President Pro Tempore, the City Council shall, with the senior member in point of service presiding, elect one of its other members to perform such duties during the absence or disability of both President and Pro Tempore.

(b) The President and President Pro Tempore shall be sworn to their respective offices at its first meeting in the month of January next following a regular municipal election, or as soon thereafter as possible.

Rule 2. Regular Meetings:

(a) The City Council shall hold regular meetings of the City Council in the Chamber of the City Council in the City Hall at seven-thirty (7:30) o'clock p.m. on the first and third Thursdays in each month excepting, however, in the months of July and August, and during the said months of July and August the City Council shall hold meetings at seven-thirty (7:30) o'clock p.m. on the first Thursday of said months.

(b) All meetings of the City Council shall be open to the public; but the City Council may, upon the affirmative votes of a majority of its members, authorize an executive session, which shall comply with the Rhode Island Open Meetings Law. If any regular meeting day shall

fall on a legal holiday, the meeting shall be held on the day following or a day certain voted by the City Council.

Rule 3. Special Meetings:

(a) Special meetings of the City Council shall be called by the City Clerk, or in his/her absence by one of his/her deputies thereunto duly authorized by said City Clerk or by said City Council, upon the signed written request, of the Mayor, the President of the City Council, or five members of the City Council.

(b) notice of any special meeting shall be served personally on each member, or at least 48 hours notice thereof shall be given each member in any other manner prescribed by ordinance.

(c) At all special meetings called by the Mayor or the City Council through the City Clerk, as provided for in Section 406 of the Providence Home Rule Charter, the first order of business shall be the special business for which such meeting is called and no other business shall be acted upon.

Rule 4. Call to Order, Quorum, Decorum:

(a) The President shall take the chair at the hour designated for the meeting of the City Council and shall promptly call the members to order.

(b) A majority of all members of the City Council shall constitute a quorum. A lesser number of members of the City Council than a quorum may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance.

(c) The President shall preserve decorum and order; he/she shall decide all questions of any points of order, subject to an immediate appeal to the City Council by any one member present. No other business shall be in order until the question on appeal shall have been decided by a majority of the members present. He/she may speak on points of order, in preference to other members and may speak on general questions as other members, but he/she shall take the floor to do so.

(d) The President may invite to regular meetings of the City Council, a member of the clergy for the purpose of offering an invocation at such regular meetings. In the absence of a member of the clergy, or spiritual leader, at such regular meetings, the President may appoint a member of the City Council, the City Solicitor, or the City Clerk, to offer an invocation at such meetings.

(e) The President shall appoint, at each regular meeting of the City Council, one of its members, the City Solicitor, the City Clerk, or a guest, to lead the City Council in reciting the "Pledge of Allegiance to the flag of the United States of America".

(f) No member of the City Council shall be permitted to use profanity during meetings of the City Council. If a member does use profanity, the President of the City Council shall request said member to leave the Council Chamber.

(g) All members of the City Council shall attend each meeting wearing proper dress, unless the President of the City Council exempts said ruling.

(h) The President is authorized upon occasion, at his discretion, to direct the City Council to be at ease.

Rule 5. Voting:

(a) The President of the City Council shall clearly and succinctly state every question before the City Council as a whole.

(b) On all ordinances, resolutions and questions in relation to and involving the expenditure of city funds, the selling and leasing of city property and acting on the Mayor's veto, the vote shall be by roll call.

(c) The "yeas" and "nays" of the members of the council shall, at the request of one fifth of those present be taken and entered on the records of said City Council. After a roll call vote has been ordered, said roll call shall not be interrupted, delayed or stopped by the President or any member of the council for any reason whatsoever, including points of order, personal privilege, or for a member to explain his/her vote. After the roll call, and before the President announces the result, any member may change his/her vote. All roll calls shall be taken alphabetically, except that the name of the President of the Council shall be called first. In case of a tie vote, the motion is not carried or passed. A motion to reconsider a vote shall only be made by a member on the prevailing side and may be seconded by any member. Adoption of the reconsideration shall be by a simple majority vote on the motion to reconsider. No motion shall be discussed or debated until it has been seconded. Any member may explain his/her vote during the discussion or debate of any motion or question pending. Any motion may be withdrawn by the mover at any time before the taking of a vote thereon or before an amendment is made to such a motion.

Rule 6. Discussion and Debate:

(a) At any meeting of the City Council, any member desiring to speak, shall address the President, and after his/her right to speak has been recognized, he/she shall not be interrupted while speaking, except by a call to order, or to yield to another member. He/she shall confine his/her remarks to the question under discussion or debate and shall avoid personalities. No member shall speak more than once on the same question, until all other members desiring to speak thereon shall have done so, and in no event, shall a member speak more than twice on any question. There shall be no conversation among members while a member is speaking, while a roll call is being taken, while any paper is being read or while a question or motion is being stated by the President.

(b) At any meeting of the City Council, upon the request of any member of the City Council, the chairperson, or in his or her absence, a member of any committee shall give a brief oral description of any item arising from said committee which has been placed on the docket of the City Council.

Rule 7. Personal Opinion or Expression:

At any meeting of the City Council, any member desiring to speak on a matter of personal opinion regarding an item not appearing on the docket, shall address the President, and request a point of personal opinion or expression. After his/her right has been recognized, he/she shall speak no longer than five minutes. No member shall speak more than once on a point of personal opinion or expression at any meeting of the City Council. The order of business under Rule 13 (Reconsideration) shall prevail over any request of personal opinion or expression.

Rule 8. Public Discussion and Decorum:

The President shall enforce order and decorum among persons outside the rail and any person addressing the City Council, by permission or by request, shall, while speaking, be subject to the same rules and shall be entitled to the same privileges or order as pertain to a member of the City Council; provided, however, that a member of the City Council may interrupt such speaker for the purpose of asking a question or of obtaining information. No persons, other than the Mayor, members or former members of the City Council, current City Council staff, members of the department of City Clerk, members of the City Sergeant's office, members of the Department of Law and members of the press shall be allowed inside the rail and on the floor of the City Council, without receiving an invitation from the President, or from a member of the City Council through and with the approval of the President. On request of a majority of the members of the City Council, a department head or any employee of the City of Providence shall appear before the City Council to answer questions of members and explain any matter.

Rule 9. The Order of Precedence on Motion shall be as follows:

1. Fix the time to which to adjourn.
2. Adjourn.
3. Take a recess.
4. Raise a question of privilege.
5. Lay on the table.
6. Suspension of the rules.

7. Previous question.
8. Limit or extend limits of debate.
9. Postpone to a certain time.
10. Commit or refer.
11. Amend.
12. Postpone indefinitely.
13. A main motion.

The lowest in rank being at the last of the list, and the highest in rank being at the beginning of the list. When any one of them is immediately pending the motions before it on the said list are in order and shall be acted upon first, and those below are out of order.

Rule 10. The following Motions shall be Undebatable:

1. Fix the time to which to adjourn.
2. Adjourn.
3. Take a recess.
4. Raise a question of privilege.
5. Lay on the table.
6. Suspension of the rules.
7. Previous question.
8. Limit or extend limits of debate.

Rule 11. The following Motions only, can be Amended:

1. Fix the time to which to adjourn.
2. Take a recess.
3. Postpone to a certain time.
4. Commit or refer.
5. Amend.
6. A main motion.

Rule 12. Votes on the following Motions cannot be Reconsidered:

1. Adjourn.
2. Take a recess.
3. Lay on the table.
4. Take from the table.
5. Suspend the rules of order of business.
6. Reconsider, including the reconsideration of a resolution, ordinance or item of appropriation vetoed by the Mayor.

Rule 13. Reconsideration:

When a vote has been passed, it shall be in order for any member voting with the prevailing side to move a reconsideration thereof, in accordance with the provisions of these rules, at the same meeting. The same ordinance, resolution, paper or vote shall come but once before the City Council for reconsideration. A motion for reconsideration may be seconded by any member and must be voted upon in the same meeting in which it was made.

Rule 14. The Order of Business at Each Meeting shall be as follows:

1. ROLL CALL.
2. APPROVAL OF RECORDS.
3. EXECUTIVE COMMUNICATIONS — elections and approval of appointments.
4. SCHEDULE OF BILLS.
5. CONTINUED BUSINESS.
6. NEW BUSINESS — including ordinances, resolutions and reports from committees and heads of departments, and other miscellaneous business.

Rule 15. Introduction and Form of Ordinances, Resolutions:

Every ordinance, resolution, order, report or paper shall be in written or printed form on the proper form to be furnished by the City Clerk and shall bear the written signature or name in ink of the authorized person presenting same. The chairperson of committees, or the authorized person presenting same, shall sign for their respective committees.

Rule 16. Docket:

(a) The City Clerk shall prepare and/or cause to be prepared for the information of the members of the City Council a docket on which there will be a definite statement or summary of all ordinances, resolutions, orders and other business to be considered at each meeting of the City Council and a copy of the docket shall be made available for public inspection at the department of City Clerk, during regular business office hours.

(b) The Mayor, members of the City Council, all committees of the City Council and heads of departments having ordinances, resolutions, orders, reports and other business to present to the City Council for consideration, shall file with the City Clerk, in his/her department in proper form, said form to be original papers and not copies of said ordinances, resolutions, orders and other business, Friday at 4:00 o'clock P.M. before each regular meeting of the City Council in order that the same may be prepared for the docket. No ordinance, resolution, order, report or other business shall be considered as having been introduced unless notice of same shall have been filed with the City Clerk as herein provided, and said ordinance, resolution, order, report or other business appears on the prepared docket, or unless the City Councils by a majority of those present, shall allow the introduction of such from the floor without it appearing on the printed docket.

(c) The City Clerk shall cause said docket to be delivered to each member of the City Council at his/her mailing address at least forty-eight (48) hours previous to each regular meeting of the City Council.

(d) The City Clerk shall not print any committee reports on the City Council docket which include any item that has not yet been voted on by that committee.

(e) The City Clerk shall prepare for each meeting of the City Council, one folder for each member, the City Council office, and the City Solicitor which shall include a docket and all copies of ordinances, resolutions, reports and other business appearing on said docket. Upon the request of a member, said folder as complete as practicable shall be available forty-eight (48) hours in advance.

Rule 17. Ordinances and Resolutions — Reference/Passage:

Every ordinance or resolution shall upon introduction be referred by the presiding officer of the council to the proper committee. The council, however, by a majority vote of its members present, may pass such ordinance or resolution immediately. Any ordinance immediately passed shall then be referred to the proper committee for further consideration. Every ordinance or resolution when read as provided in the Charter shall be passed or adopted by a majority of the members of the council then present. No ordinance shall be passed until it has been read on two separate days, and until at least forty-eight (48) hours shall have elapsed between such two readings provided, however, that the above requirements for a second reading may be dispensed with in the case of emergency ordinances by a vote of not less than three-fourths of all the members of the City Council. The first reading of an ordinance or the reading of all resolutions, may be by title and description unless otherwise ordered. The second reading of each ordinance shall be in full, unless a copy thereof shall have been furnished to each member of the council prior to such reading.

Rule 18. Mayor's Veto and Council Reconsideration:

The City Council may reconsider any ordinance or resolution vetoed or disapproved, or any separate appropriation item or items vetoed or reduced by the Mayor; and, if after such reconsideration, two-thirds of all the members of the City Council shall vote in favor of passage thereof, it shall become effective notwithstanding the Mayor's action in regard thereto. Such vote must be taken by calling the roll of the members of the City Council and the "yeas" and

"nays" of said members voting thereon shall be recorded in the Journal of Proceedings of said City Council. If a larger vote is required for the adoption of a measure by the provisions of the Providence Home Rule Charter, such larger vote shall be required to overcome the veto by the Mayor. The vote of reconsideration of each such vetoed ordinance, resolution or separate appropriation item or items shall be taken at the convenience of the City Council. If the ordinance or resolution or separate appropriation item or items is not passed over the Mayor's veto within thirty days from the date of the delivery thereof to the Mayor, or as herein before provided, the measure or items shall be lost or shall stand reduced, as the case may be.

Rule 19. Ordinances/Resolutions Involving City Property and Zoning:

All ordinances and resolutions involving the purchase or acquisition of land, or the sale or leasing of city owned land, or the change of the zoning map shall be accompanied by a print or plan showing the location, area and other necessary details of the same and copies of such print or plan shall be furnished to each member of the City Council at the meeting at which such matter shall be acted upon. Such ordinances and resolutions shall also include the street and street number of the premises referred to therein and the plat and lot numbers.

Rule 20. Standing Committees, Special Committees and Subcommittees:

(a) There shall be quadrennially appointed, by the President of the City Council, immediately after the organization of the city government, the following standing committees of the City Council the members of which shall hold office on such committees until the expiration of the period for which such members

are elected to the City Council and until the expiration of the current municipal term; namely, a Committee on City Property; a Committee on Claims and Pending Suits; a Committee on Dr. Charles v. Chapin Memorial Award; a Committee on Employees' Retirement System; a Committee on Finance; a Committee on Ordinances; a Committee on Public Works; and Committee on Urban Redevelopment, Renewal and Planning.

(b) Each of said standing committees shall consist of five (5) members of the City Council. Said members of said standing committees of the City Council shall be appointed by the President of the City Council; a list of members appointed to each committee shall be filed by the President with the City Clerk.

(c) All special committees shall be created by resolution and shall consist of members of the City Council and shall be appointed by the President of the City Council; a list of the members appointed to each special committee shall be filed by the President with the City Clerk. The term of all special committees shall expire upon the completion of the performance of its duties charged, a Fixed date, or the expiration of the municipal term, whichever is earlier in time.

(d) All subcommittees shall consist of three (3) members of a standing committee of the City Council. The members of said subcommittee shall be appointed by the President of the City Council upon the request of any chairperson of any standing committee as the need arises in his/her discretion; a list of the members appointed to each subcommittee shall be filed by the President with the City Clerk. The term of all subcommittees shall expire upon the completion of the performance of its duties charged, a fixed date, or the expiration of the municipal term, whichever is earlier in time.

(e) All committees of the City Council, whether a standing, special, or subcommittee, shall have the power to elect its own chairperson and vice-chairperson, and in default of such election, the members first named on a committee shall be chairperson and vice-chairperson respectively thereof, and in case of their resignation or inability, the other members, in the order in which they are named, shall so act. The vice-chairperson shall act as chairperson in the absence of the chairperson.

(f) The chairperson of each committee shall promptly call the members to order at the hour designated for the meeting of the committee. A majority of the members of the committee shall constitute a quorum. In the event that no quorum is met within one half hour (30 minutes) of the time called for the meeting, the meeting shall be postponed or canceled at the discretion of the chairperson.

(g) The City Clerk shall be the clerk of all committees of the City Council. He/she shall cause a record of all committee's proceedings to be kept in a suitable book provided by the city for that purpose. All committee meetings shall be called, for the transaction of committee business, by the respective chairperson of said committee by notice to the City Clerk who shall notify the members in writing. The City Clerk shall call a meeting of any committee when a majority of the members of said committee file a signed written request for such a meeting.

(h) All meetings of standing committees, special committees, and subcommittees of the City Council shall be open to the public, except that the members of each committee may, by majority vote, call an executive session of such committee meeting consistent with the Rhode Island Open Meetings Law. Notice of all committee meetings shall be posted at least

forty-eight (48) hours in advance in the department of City Clerk.

(i) Members of the public shall be granted a right to be heard on any matter presently before a committee of the City Council, provided they will be regulated by the limitations of time, space and/or numbers of persons requested to be heard. The respective committee chairperson in his/her discretion may grant a right to be heard to any member of the public on any matter presently before a committee as provided herein.

Rule 21. Discharge of Committee:

The City Council, by a majority vote of all its members, may discharge a committee from further consideration of any matter referred to said committee.

Rule 22. Form of Ordinances, Resolutions and other Papers Submitted by Committee:

All ordinances, resolutions, reports and other papers submitted by a committee to the City Council shall be on proper form plainly legible on separate sheets of paper and shall be suitably endorsed. by the chairperson of the committee; or the vice-chairperson, or if ordered, by the Clerk, presenting the same, and no other endorsement or report of any Kind shall be made on the ordinances, resolutions, reports, memorials, or other papers which may be referred to any committee, except such as may be made by the City Clerk. All reports shall be signed in ink by the chairperson of the committee making said report, unless otherwise ordered by the committee. Members of the committee may make a minority report to the City Council, which report must be signed by all members of the committee concurring in said minority report.

Rule 23. Financial Limitation of Chairpersons:

No chairperson of any committee of the City Council shall audit or approve any bill or accounts against the city for services or supplies unless the same shall have been ordered by the committee, nor shall he/she approve any bill or account except by vote of the committee.

Rule 24. Committee Vacancies:

From and after the time any member of any committee of the City Council, ceases to be a member of the City Council, he/she shall thereupon cease to be a member of such committee, and the vacancy on such committee so created shall be filled by appointment made by the President of the City Council. All vacancies on committees caused by death, resignation, or any other cause shall be filled by the President of the City Council.

Rule 25. Right to Attend Committee Meetings:

The Mayor, and/or his designees and all the members of the City Council, shall have the right to attend all committee meetings and take part in any committee discussions and to inspect all committee reports and records.

Rule 26. Notice to Council, Committee Members and Sponsor:

(a) Notice of all committee meetings shall be mailed to each and every member of the City Council by the Clerk at least forty-eight (48) hours in advance of said committee meetings. This notice shall include time, place, date, and agenda of all matters, to be considered at said committee meeting.

(b) The Council member who has sponsored any ordinance or resolution shall be invited to attend the meeting of any committee to which said ordinance or resolution has been referred when the same is to be considered.

Rule 27. Study Commissions:

(a) The City Council may create a study commission by resolution which shall have a fixed purpose and charge. The term of all study commissions shall expire upon the completion of the performance of its duties charged, a fixed date or the expiration of the municipal term, whichever is earlier in time.

(b) Each study commission shall consist of no more than fifteen (15) members. Said study commission shall consist of at least three (3) members of the City Council and may include officers or employees of the city or state, and/or members of the public. All members of any study commission shall be appointed by the President of the City Council; a list of the members appointed to each study commission shall be filed with the City Clerk.

(c) Each study commission shall have a chairperson and vice-chairperson appointed by the President of the City Council. The vice-chairperson shall act as chairperson in the absence of the chairperson.

(d) Any and all reports from said study commissions shall be submitted to the City Council by filing said report with the City Clerk.

Rule 28. Unfinished Business:

The City Council is a continuing body, and unfinished business pending before it shall not lapse or go down with the council term, but all pending business before the City Council, or any

committee therein, as defined by Rule 20, Section (a), (Standing Committees, Special Committees and Subcommittees), at the termination of any council term, shall be considered as pending before the City Council of the next succeeding council term, or the corresponding committee thereof, and may be acted upon and disposed of by the council of such succeeding term in the same manner and with the same effect as if no change in such City Council had taken place by the expiration of a council term.

Rule 29. Effect of Adoption — Power to Amend, Suspend or Repeal:

(a) Upon passage of said rules by a majority of the members of the City Council, said rules shall govern the City Council, as a whole, and all standing, special committees and subcommittees thereof.

(b) The foregoing rules shall not be altered, amended, suspended, or repealed at any time except by the vote of the majority of the members elected to the City Council.

(c) Pursuant to Section 407, of the Providence Home Rule Charter, in any case where an applicable rule has not been adopted, "Robert's Rules of Order" the United States Constitution, the General Laws of the State of Rhode Island and common law shall govern.

COUNCILMAN ALLEN moves to amend **Rule 16** by inserting "Friday at 4:00 o'clock P.M. before each Regular meeting," and striking "Seventy-eight (78) hours".

COUNCILWOMAN WILLIAMS second this motion.

The motion to amend **Rule 16** by inserting "Friday at 4:00 o'clock P.M. before each

Regular meeting," and striking "Seventy-eight (78) hours" is Unanimously Sustained.

COUNCILMAN ALLEN moves to amend Rule 17, line 2 to insert the words "Ordinance or" before the word Resolution.

Line 3: Add "... Any Ordinance immediately passed shall then be referred to the proper Committee for further consideration ..."

Line 4: Change the word "and" to "or" (to read Every Ordinance or Resolution).

The motion to amend Rule 17, line 2 and insert the words "Ordinance or" before the word Resolution.

Line 3: Add "... Any Ordinance immediately passed shall then be referred to the proper Committee for further consideration ..."

Line 4: Change the word "and" to "or" (to read Every Ordinance or Resolution) is Unanimously Sustained.

COUNCILMAN DaPONTE moves to amend Rule 21, Discharge of Committee, first line strike the language "... all members present ..." and replace it with "... all its members ..."

COUNCILMAN ALLEN seconds this motion, and is put to vote by the following Roll Call Vote:

Yeas: Council President Pro Tempore Young, Councilmen Allen, Aponte, Clarkin, DeLuca, Jackson, Lombardi and Councilwoman Williams—8.

Nays: Councilman Butler, Councilwoman DiRuzzo, Councilmen Hassett, Mancini, Councilwomen Nolan and Romano—7.

Absent: None.

The motion to amend Rule 21, Discharge of Committee, first line strike the language "... all members present ..." and replace it with "... all its members ..." is Sustained.

Read and Passed, as amended, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Yeas: Council President Pro Tempore Young, Councilmen Allen, Aponte, Clarkin, DeLuca, Jackson, and Councilwoman Williams—8.

Nays: Councilman Butler, Councilwoman DiRuzzo, Councilmen Hassett, Igliozzi, Mancini, Councilwomen Nolan and Romano—7.

Absent: None.

The motion for Passage, as amended, is Sustained.

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

**Transmits the following with recommenda-
tion the same be Approved:**

Resolution Ratifying an agreement between the City of Providence and Providence Lodge No. 3, Fraternal Order of Police (FOP), effective July 1, 1996 and ending June 30, 1999.

Councilwomen Nolan, Romano and Williams—13.

Nays: None.

Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Not Voting: Councilmen Clarkin and DeLuca—2.

Absent: None.

Yeas: Council President Pro Tempore Young, Councilmen Allen, Aponte, Butler, Councilwoman DiRuzzo, Councilmen Hassett, Igliazzi, Jackson, Lombardi, Mancini,

The motion for Passage is Sustained.

COMMUNICATIONS AND REPORTS

Annual Report from Frank S. Lombardi, Esquire, Clerk of the Probate Court for the fiscal year beginning July 1, 1997 and ending June 30, 1998.

Received.

FROM THE CLERK'S DESK

Petition of Carol C. Coates of Unishippers Global Shipping, dated January 13, 1999, requesting approval for the replacement of an Airborne Drop Box, near the street, in front of Fleet Bank to be placed next to the existing U.S. Mailbox.

COUNCIL PRESIDENT PRO TEMPORE YOUNG Refers the Petition to the Committee on City Property.

The motion to Refer is Sustained.

Petition of Carol C. Coates of Unishippers Global Shipping, dated January 13, 1999, requesting approval for the placement of an Airborne Drop Box, near the street, near the Foundry Building, next to the existing Federal Express Box.

COUNCIL PRESIDENT PRO TEMPORE YOUNG Refers the Petition to the Committee on City Property.

The motion to Refer is Sustained.

Petition of Carol C. Coates of Unishippers Global Shipping, dated January 13, 1999, requesting approval for the placement of an Airborne Drop Box, on the city sidewalk, in front of LaSalle Academy, on the corner of Academy Avenue and Smith Street, next to the U.S. "Express Mail" Box.

COUNCIL PRESIDENT PRO TEMPORE YOUNG Refers the Petition to the Committee on City Property.

The motion to Refer is Sustained.

Petitions for Compensation for Injuries and Damages, viz:

Vitalina Rodrigues and Saul Pabon (Christopher E. Ray, Esq.)

Bernadette Pothisane

Jeffrey M. Jacober

Farm Family Casualty Insurance Co. a/s/o Yolanda Nieves

Beatrice Labbe (Michael T. Napolitano, Esq.)

Theodore E. Zolnierz

Michael F. Shanley

Victoriano Gonzalez (David N. Bazar, Esq.)

Melissa Renzoni

Anna S. Yeremian (Jules M. Gelade, Esq.)

Mary E. Stover

Olga Sanchez

Elaine E. Cain

Neng Khang (David P. Valletta, Esq.)

Jerry DiDonato

Christopher and Angela Rourke

Robert Lanni d/b/a Lanni's Auto Body
(Kenneth Macksoud, Esq. and Jeffrey Garabedian, Esq.)

Nancy Alves (Scott A. Lutes, Esq.)

Pro-Gear (Eric T. Grande, Esq.)

Justin Kemp

American International Recovery, Inc. (Christopher M. Rawson, Esq.)

COUNCIL PRESIDENT PRO TEMPORE YOUNG Severally Refers the Petitions to the Committee on Claims and Pending Suits.

Joshua Diaz (Christopher E. Fay, Esq.)

Brian Butler (Christopher E. Fay, Esq.)

The motion to Refer is Sustained.

Phyllis McQueary p.p.a. Dwayne Harrison
(Christopher E. Fay, Esq.)

PRESENTATION OF CITATIONS

"In Congratulations"

COUNCIL PRESIDENT LOMBARDI and the MEMBERS of the CITY COUNCIL:

John and Olga Torvi, in recognition of the celebration of their 50th Wedding Anniversary.

Citations Extending Congratulations.

Severally Read and Collectively Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

Resolved, That the Members of the City Council extend their sincere congratulations to the following:

The motion for Passage is Sustained.

Josephine Pirolli, in recognition of the celebration of her 80th birthday on January 14, 1999.

PERSONAL EXPRESSION

COUNCILMAN ALLEN requests the privilege of the floor to speak on a point of personal expression and states:

For this particular council meeting, it is unfortunate that our esteemed President had a bout with laryngitis and he couldn't speak that well so he turned the Chair over to a very competent, capable President Pro-Tempore, Councilwoman Young. I think it is unfortunate that the Council President was sick, however, I think it is an opportunity that should not go unnoticed that this is the first time that I think in the history of the City of Providence's legislative process that we have a black, female City Council person sitting up here controlling the activities of the City Council. Madame President, I think you ought to be commended for a job well done.

COUNCILMAN IGLIOZZI requests the privilege of the floor to speak on a point of personal expression and states:

Madame President Pro Tempore, I congratulate you on today's feat. I also want to extend an invitation to all the council members for tomorrow at noon time at the School Board hearing room at the Department of Education and Training Building. We are going to have the first Truancy Organizational Meeting. It is going to be an informal matter. Lunch will be served. I invite you all to attend. Hopefully, Mr. President's laryngitis will be gone and tomorrow he can say a few words before the Board. The Board will be there, the home visitors from the School Department will be there. It will be an informal get-together to talk about what it is all about and for everybody to set some future dates for the first true Truancy Board hearing. Thank you.

PRESENTATION OF RESOLUTIONS

"In Memorium"

**COUNCIL PRESIDENT LOMBARDI and
the MEMBERS of the CITY COUNCIL:**

Resolutions Extending Sympathy.

Resolved, That the Members of the City Council extend their sincere sympathy to the families of the following:

Aldrich J. "GeGe" DelSanto

Edward J. Tavarozzi, Jr.

Christopher C. Antonelli

Joseph O. Della Grotta

Elvira "Vera" Matarese

Joseph F. DelSesto

Darlene L. Blockson

Raymond L. Powers

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

Alice O'Connell

Phoebe H. Devine

The motion for Passage is Sustained.

Minnie E. Tamberino

ADJOURNMENT

There being no further business, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 9:10 o'clock P.M. (E.S.T.) to meet again on THURSDAY, FEBRUARY 4, 1999 at 7:30 o'clock P.M. (E.S.T.).

Michael R. Clement

City Clerk