

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
SEP 07 2023

APPROVED:
Tina L. Martin CLERK

CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 20 City Council Special Meeting, Tuesday, July 25, 2023, 5:15 o'clock P.M.

PRESIDING

COUNCIL PRESIDENT

RACHEL M. MILLER

CALL TO ORDER

PRESENT: COUNCIL PRESIDENT MILLER, COUNCILOR ANDERBOIS, COUNCILMEN ESPINAL, GONCALVES, COUNCILWOMEN GRAVES, HARRIS, PETERSON, COUNCILORS PICHARDO, ROIAS, COUNCILWOMAN RYAN, COUNCILOR SANCHEZ, COUNCILMAN TAYLOR, COUNCILWOMAN VARGAS AND COUNCILMAN VARGAS – 14.

ABSENT: COUNCILWOMAN ANTHONY – 1.

ALSO PRESENT: SHERI A. PETRONIO, ACTING CITY CLERK, ANGELA J. HARRIS, FIRST DEPUTY CITY CLERK, DONNA M. PELIGIAN, FIRST DEPUTY CITY CLERK, CLAIRE E. GIRARD, CLERK LIAISON, NAPOLEON ASKIE, CITY SERGEANT AND JEFFREY DANA, CITY SOLICITOR, GINA COSTA, INTERNAL AUDITOR, MAX WISTOW AND BENJAMIN LEDSHAM.

INVOCATION

PLEDGE OF ALLEGIANCE

COUNCILMAN TAYLOR Moves to Dispense with the Invocation and Pledge of Allegiance, Seconded by COUNCILWOMAN HARRIS.

CALL FOR SPECIAL MEETING

COMMUNICATION FROM

COUNCIL PRESIDENT RACHEL M. MILLER

Request filed with the City Clerk July 21, 2023, Requesting a Special Meeting of the City Council to be called on the 25th day of July, 2023 at 5:15 o'clock P.M., in the City Council Chamber, Third Floor, City Hall.

WARRANT FOR SPECIAL MEETING

Warrant of the City Clerk to Napoleon Askie, City Sergeant, with Return Certification that he has notified each Member of the City Council of the Special Meeting to be called for the 25th day of July, 2023 at 5:15 o'clock P.M., in the City Council Chamber, Third Floor, City Hall.

COUNCILMAN TAYLOR Moves to Waive the Reading of items 1 and 2, Seconded by COUNCILWOMAN HARRIS.

RESULT:	RECEIVED
----------------	-----------------

Presentation and discussion relative to “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 3 and enter into Executive Session pursuant to Rhode Island General Laws 42-46-4 and 42-46-5 (a)(2) sessions pertaining to Collective Bargaining or Litigation or work sessions pertaining to Collective Bargaining or Litigation, Seconded by COUNCILWOMAN HARRIS on a Roll Call Vote:

ROLL CALL:

Council President Miller - Aye
Councilor AnderBois - Aye
Councilwoman Anthony - Absent
Councilman Espinal - Aye
Councilman Goncalves - Aye
Councilwoman Graves - Aye
Councilwoman Harris - Aye
Councilwoman Peterson - Aye
Councilor Pichardo - Aye
Councilor Roias - Aye
Councilwoman Ryan - Aye
Councilor Sanchez - Aye
Councilman Taylor - Aye
Councilwoman Vargas - Aye
Councilman Vargas - Aye

EXECUTIVE SESSION

RECONVENTION

On motion of Councilman Taylor, Seconded by Councilwoman Harris, it is voted to Reconvene into Open Session by the following Roll Call Vote:

Council President Miller - Aye
Councilor AnderBois - Aye
Councilwoman Anthony - Absent
Councilman Espinal - Aye
Councilman Goncalves - Aye
Councilwoman Graves - Aye
Councilwoman Harris - Aye
Councilwoman Peterson - Aye
Councilor Pichardo - Aye
Councilor Roias - Aye
Councilwoman Ryan - Aye
Councilor Sanchez - Aye
Councilman Taylor - Aye
Councilwoman Vargas - Aye
Councilman Vargas - Aye

COUNCILMAN TAYLOR: Motion to seal the minutes of Executive Session.

COUNCILWOMAN HARRIS: Second Madam President.

COUNCIL PRESIDENT MILLER: All those in favor.

COMMITTEE: Ayes.

COUNCIL PRESIDENT MILLER: Any opposed? Any abstentions? The Motion passes and Madam Clerk please note for the record that during Executive Session we entertained a motion from Councilman Taylor and seconded by Councilwoman Harris to respectfully ask the City Solicitor to leave the room at this time.

FIRST DEPUTY CITY CLERK PETRONIO: So, noted.

PRESENTATION OF RESOLUTION

COUNCIL PRESIDENT MILLER

Resolution (a) ratifying the agreement by and between the Providence City Council and Wistow, Sheehan & Loveley, P.C. ("WSL") entered into on May 15, 2023 regarding Case No. PC-2020-04757; and (b) authorizing WSL to make such claim(s) regarding Case No. PC-2020-04757 as may be warranted based upon WSL's investigation.

WHEREAS, On December 15, 2022 the City's Internal Auditor submitted a report to the City Council outlining significant concerns raised in response to a Consent Order that was entered into in Case No. PC-2020-04757 without any consideration or notice provided to the City Council; and

WHEREAS, On March 16, 2023 the City Council passed a resolution authorizing the Council President to engage outside legal counsel as recommended by the Internal Auditor's report; and

WHEREAS, Pursuant to the March 16, 2023 resolution, the Council President engaged Wistow, Sheehan & Loveley, P.C. ("WSL") as counsel for the City Council relative to this matter pursuant to the terms of the engagement agreement that was executed by the Council President on May 12, 2023, was executed by WSL on May 15, 2023, and was received by the City Council at the May 18, 2023 Council meeting ("WSL's Engagement Agreement"); and

WHEREAS, Max Wistow and Stephen Sheehan presented the findings of WSL's investigation concerning Case No. PC-2020-04757 to the Committee on Finance in executive session on July 13, 2023; and

WHEREAS, WSL summarized its findings and recommendations concerning Case No. PC-2020-04757 in a confidential and attorney-client privileged *Memo to City Council* dated July 17, 2023; and

WHEREAS, The City Council is desirous of approving and ratifying the specific terms of WSL's Engagement Agreement.

NOW, THEREFORE, BE IT RESOLVED, That the City Council approves and ratifies WSL's Engagement Agreement.

BE IT FURTHER RESOLVED, That the City Council authorizes WSL to make such claim(s) as may be warranted based upon their investigation. Said claim(s) may be made by demand letter, motion practice, lawsuit, any combination thereof, or otherwise, as WSL deems appropriate.

COUNCILMAN TAYLOR Moves to Waive the Reading of item 4 and Pass on a Roll Call Vote, Seconded by COUNCILWOMAN HARRIS.

COUNCILWOMAN RYAN Moves to Continue this matter to provide the opportunity for the council body to review the voluminous material. There being no second. The motion failed.

RESULT:	PASSED [13 TO 1]
MOVER:	Councilman Taylor
SECONDER:	Councilwoman Harris
AYES:	Council President Miller, Councilor AnderBois, Councilmen Espinal, Goncalves, Councilwomen Graves, Harris, Councilwoman Peterson, Councilors Pichardo, Roias, Sanchez, Councilman Taylor, Councilwoman Vargas and Councilman Oscar Vargas – 13.
NAYS:	Councilwoman Ryan – 1.
ABSENT:	Councilwoman Anthony – 1.

The Motion for Passage is Sustained.

CONVENTION

There being no further business, on Motion of **COUNCILMAN TAYLOR**, Seconded by **COUNCILWOMAN HARRIS**, it is voted to adjourn in memory of Providence Police Department Mounted Command Equine Salute at 9:33 o'clock P.M., to meet again **THURSDAY, SEPTEMBER 7, 2023 at 6:00 o'clock P.M.**



SHERI A. PETRONIO
ACTING CITY CLERK

This meeting as live streamed and the recording is available on our YouTube Channel:
<https://www.youtube.com/watch?v=qxUQg4u46Qw>

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.

