

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL
JOURNAL OF PROCEEDINGS

No. 6 City Council Regular Meeting, Thursday, March 16, 2006, 7:30 o'clock P.M. (E.S.T)

PRESIDING

COUNCIL PRESIDENT

JOHN J. LOMBARDI

ROLL CALL

Present: COUNCIL PRESIDENT LOMBARDI,
COUNCILMEN APONTE, BUTLER, DeLUCA,
COUNCILWOMAN DIRUZZO, COUNCILMEN
IGLIOZZI, JACKSON, LUNA, MANCINI, COUN-
CILWOMAN ROMANO, COUNCILMAN SEGAL,
COUNCILWOMEN WILLIAMS and YOUNG -13.

Absent: COUNCILMAN ALLEN and COUN-
CILMAN HASSETT - 2.

(SUBSEQUENTLY COUNCILMAN HASSETT
JOINS THE MEETING)

Also Present: Adrienne G. Southgate, Deputy City
Solicitor, Anna M. Stetson, City Clerk, Claire E.
Bestwick, First Deputy City Clerk, Deborah Hudson,
Assistant Clerk and Vincent J. Berarducci, City Sergeant.

IN CITY COUNCIL

JUL 6 2006

READ
WHEREUPON IT IS ORDERED THAT
THE SAME BE APPROVED.

Anna M. Stetson, City Clerk

INVOCATION

The Invocation is given by REVEREND
ROBERT J. GIARDINA, SAINT CHARLES
BORROMEO CHURCH.

COUNCILMAN HASSETT JOINS THE MEETING.

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

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

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated March 6, 2006,
Informing the Honorable Members of the
City Council that pursuant to Sections 302(b)
and 1003 of the Providence Home Rule
Charter of 1980, he is this day re-appointing
Elizabeth Gordon of 98 Stanton Street,
Providence, Rhode Island, 02909, as a
member of the Board of Park Commissioners
for a term expiring in January, 2010.

COUNCIL PRESIDENT LOMBARDI
Receives the foregoing Communication.

Communication dated March 8, 2006,
Informing the Honorable Members of the City
Council that pursuant to Sections 302(b) and 1103
of the Providence Home Rule Charter of 1980, as
amended, he is this day appointing Ms. Joan Gelch
of 83 Loring Avenue, Providence, Rhode Island,
02906, as a member of the Human Relations
Commission for a term to expire in January 2009.
(Ms. Gelch will fill an existing vacancy on the board)

Communication dated March 8, 2006,
Informing the Honorable Members of the
City Council that pursuant to Sections 302(b)

and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day re-appointing Sister Ann Keefe of 100 Lexington Avenue, Providence, Rhode Island, 02907, as a member of the Human Relations Commission for a term to expire in January 2009.

Communication dated March 8, 2006, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day

re-appointing Mr. Thomas Whitten of 50 Blackstone Boulevard, #4, Providence, Rhode Island, 02906, as a member of the Human Relations Commission for a term to expire in January 2009.

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

COUNCIL PRESIDENT LOMBARDI Refers the Several Communications to the Committee on Finance.

ELECTION OF OFFICERS

Election of Members to the Juvenile Hearing Board.

COUNCIL PRESIDENT LOMBARDI Calls for Nominations for Members to serve on the Juvenile Hearing Board.

COUNCILMAN APONTE Opens Nominations for Members to serve on the Juvenile Hearing Board, seconded by COUNCILWOMAN WILLIAMS.

COUNCILMAN APONTE Nominates Kai Cameron, and this Nomination is seconded by COUNCILWOMAN YOUNG.

COUNCIL PRESIDENT LOMBARDI Calls for further Nominations and there being none, on motion of COUN-

CILMAN APONTE, seconded by COUNCILWOMAN YOUNG, it is voted that Nominations be closed and the Clerk is directed to Cast One Ballot for KAI CAMERON.

COUNCILMAN APONTE Nominates Robert DeMaio, and this Nomination is seconded by COUNCILMAN IGLIOZZI.

COUNCIL PRESIDENT LOMBARDI Calls for further Nominations and there being none, on motion of COUNCILMAN APONTE, seconded by COUNCILMAN IGLIOZZI, it is

voted that Nominations be closed and the Clerk is directed to Cast One Ballot for ROBERT DeMAIO.

COUNCILMAN APONTE Nominates Kenneth Brown, and this Nomination is seconded by COUNCILMAN DeLUCA.

COUNCIL PRESIDENT LOMBARDI Calls for further Nominations and there being none, on motion of COUNCILMAN APONTE, seconded by

COUNCILMAN DeLUCA, it is voted that Nominations be closed and the Clerk is directed to Cast One Ballot for KENNETH BROWN.

The Clerk Casts One Ballot each as directed.

COUNCIL PRESIDENT LOMBARDI, Thereupon declares KAI CAMERON, ROBERT DeMAIO and KENNETH BROWN duly elected members to the Juvenile Hearing Board.

ORDINANCES SECOND READING

The Following Ordinances were in City Council March 2, 2006, Read and Passed the First Time and are Severally Returned for Passage the Second Time:

An Ordinance in Amendment of Chapter 1998-22, No. 308, Approved May 28, 1998, Entitled: "An Ordinance in Amendment of Certain Sections of Chapter 17, Article IV of the Code of Ordinances, Entitled: "Retirement System", As Amended.

Be it ordained by the City of Providence:

Sec. 17-185. Method of financing.

The funds hereby created are the annuity savings fund, the annuity reserve fund, the pension accumulation fund and the pension reserve fund.

(1) Annuity savings fund. The annuity savings fund shall be a fund in which

shall be accumulated contributions from the compensation of members to provide for their annuities . . and their withdrawal allowances. Upon the basis of such tables as the retirement board shall adopt and regular interest, the actuary of the retirement system shall determine for each class A member the proportion of the compensation which, when deducted from each payment of his prospective earnable annual compensation prior to his eligibility for service retirement and accumulated at regular interest until his attainment of the minimum age of service retirement for his group, shall be computed to provide at that time an annuity equal to the pension provided on account of

his service as a member. Such proportion of compensation shall be computed to remain constant. In the event that the provisions of this article for the determination of the amount of the pension of a class A employee on account of his service as a member shall at any time, be amended, the retirement board shall adopt, as of the effective date of such amendment, rates of contribution for class A employees computed on the basis of such amendment and such contribution rates shall apply to all members who become class A employees after said effective date at the age attained upon entrance into such class. No increase in percentage contribution rates shall be required of members who are so classified on said effective date, but any such member may elect prior to said date to contribute at the rate as so amended applicable to his age attained on said date and thereafter deductions shall be made from his compensation at such amended rate. The retirement board shall adopt as of July 1, 1989, for employees in class B who are members of the Police Department and as of July 1, 1990, for employees in class B who are members of the Fire Department, a percentage contribution rate of nine and one-half (9 1/2) percentum, and thereafter deductions shall be made from the compensation of all members so classified at this rate, anything to the contrary in this article notwithstanding. The retirement board shall adopt as of July 1, 1974, for employees in class A, a percentage contribution rate of eight (8) percentum, and thereafter deductions shall be made from the compensation of all members so classified at this rate,

anything to the contrary in this article notwithstanding.

The city controller shall certify the proportion of earnable compensation of each member so computed, and he shall deduct such proportion from the compensation of each member on each and every payroll of each department for each and every payroll period; but the city controller shall not make any deductions for annuity purposes from the annual compensation of a member who elects not to contribute if he has completed twenty-five (25) years of creditable service. In determining the amount earnable by a member in a payroll period, the retirement board may consider the rate of annual compensation payable to such member on the first day of the payroll period as continuing throughout such payroll period and it may omit deductions from compensation for any period less than a full payroll period if an employee, was not a member on the first day of the payroll period; and to facilitate the making of deductions it may modify the deduction required by any member by such an amount as shall not exceed one-tenth of one percentum of the annual compensation upon the basis of which said deduction is to be made. The deductions provided for herein shall be made notwithstanding that the minimum compensation provided for by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions made and provided for herein and shall receipt for his full salary or compensation; and payment of salary or compensation less said deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the service

rendered by such person during the period covered by such payment except as to the benefits provided under this article. Said amounts shall be deducted and when deducted shall be paid into said annuity savings fund, and shall be credited, together with regular interest, to an individual account of the member from whose compensation said deduction was made.

In addition to the contributions deducted from compensation hereinbefore provided, any member may re-deposit in the annuity savings fund by a single payment or by an increased rate of contribution an amount equal to the total amount which he withdrew previously therefrom as provided in this article, or any member may deposit therein by a single payment or by an increased rate of contribution an amount to be used to provide an additional annuity. Such additional amounts so deposited shall become a part of his accumulated contributions except in the case of retirement, when they shall be treated as excess contributions returnable to the member in the same manner and form as his normal accumulated contributions. The accumulated contributions of a member, withdrawn by him or paid to his estate or to his designated beneficiary in the event of his death as provided in this article, shall be paid from the annuity savings fund. Upon retirement of a member, his accumulated contributions shall be transferred from the annuity savings fund to the annuity reserve fund. Subject to such rules and regulations as the retirement board may provide, any member who has at least three (3) years of total service may borrow from his account in the annuity savings fund for the following purposes:

- a. Medical expenses.
- b. Dental expenses.
- c. Hospital expenses.
- d. Funeral expenses.
- e. Down payment on the purchase of real estate to be used in whole or in part as the member's home, or to be used for home improvements of member's home (primary residence).
- f. ~~Such other purposes as the retirement board may approve.~~ Educational Expenses limited to member, member's spouse, member's domestic partner, member's children and/or dependent(s).
- (g) The aggregate amount of loans outstanding to any member shall never exceed the lesser of the following amounts:
 1. Fifty (50) percentum of the amount of the members accumulated contributions.
 2. An amount, together with interest thereon, which must be repaid within ten (10) years by additional deductions from his compensation.
 3. No loan shall be issued for less than One Thousand (\$1,000.00) Dollars.
- (h) Prior to approval the member shall sign a sworn affidavit which specifically states the purpose for the loan.

The rate of interest payable on the unpaid balance of such loans shall be fixed at the date of commencement of the loan at

~~the rate established for this purpose from time to time by the retirement board, by the pension system's actuarial's rate of return on the investment portfolio, plus one (1%) percent.~~ The principle amount, together with interest thereon, shall be repaid to the retirement system in equal installments in such amounts as the board shall approve, and shall be deducted from the compensation of the member at the same time and in the same manner as the member's contributions to the retirement system are deducted. Such installments shall be at least equal to five (5) percentum of the member's compensation.

All payments of principal and regular interest made by a borrowing member shall be credited to his account in the annuity savings fund. The excess of the interest paid by him over the regular interest creditable to the account of the member shall be credited to the pension accumulation fund. The amount of any benefit which becomes payable under the provisions of this article shall be determined on the basis of the member's accumulated contributions less the outstanding balance of such loan, and the pension shall be determined as if such loan had not been made. Should a beneficiary be restored to active service, his annuity reserve shall be transferred from the accumulation fund to his credit in the annuity savings fund.

- (2) Annuity reserve fund. The annuity reserve fund shall be the fund from which shall be paid all annuities and all benefits in lieu of annuities, payable as provided in this article. Should a beneficiary retired on account of disability be restored to active service, his annuity shall cease and his annuity

reserve shall be transferred to his credit in the annuity savings fund.

- (3) Pension accumulation fund. The pension accumulation fund shall be the fund in which shall be accumulated all reserves for the payment of all pensions and other benefits payable from contributions made by the City of Providence and from which such pensions and other benefits shall be paid to or on account of beneficiaries credited with prior service. Contributions to and payments from the pension accumulation fund shall be made as follows:

- a) On account of each member there shall be paid annually into the pension accumulation fund by the City of Providence for the preceding fiscal period, a certain percentage of the earnable compensation of each member to be known as the "normal contribution," and an additional percentage of his earnable compensation to be known as the "deficiency contribution." The rates percentum of such contributions shall be fixed on the basis of the liabilities of the retirement system as shown by actuarial valuations. Until the first valuation, the normal contribution shall be two and sixty-seven one hundredths ($2\frac{67}{100}$) percentum and the deficiency contribution shall be two and forty-five one hundredths ($2\frac{45}{100}$) percentum of the salaries of all members.
- b) On the basis of regular interest and of such mortality and other tables as shall be adopted by the retirement board, the actuary engaged by the city council to make each valuation

required by this article during the period over which the deficiency contribution is payable, immediately after making such valuation, shall determine the uniform and constant percentage of the earnable compensation of the average new entrant, which, if contributed on the basis of his compensation throughout his entire period of active service would be sufficient to provide at the time of his retirement the total amount of his pension reserve. The rate percentum so determined shall be known as the "normal contribution" rate. After the deficiency contribution has ceased to be payable, the normal contribution shall be the rate percentum of the earnable salary of all members obtained by deducting from the total liabilities of the pension accumulation fund the amount of the funds in hand to the credit of that fund and dividing the remainder by one (1) percentum of the present value of the prospective future salaries of all members as computed on the basis of the mortality and service tables adopted by the retirement board and regular interest. The normal rate of contribution shall be determined by the actuary after each mortality and service investigation and shall continue in force until a new investigation and certification.

- c) Immediately succeeding the first valuation, the actuary engaged by the city council shall compute the rate percentum of the total compensation of all members during the preceding fiscal year which is equivalent to four (4) percentum of the amount of the total pension liability on account of all members and beneficiaries not dischargeable by the aforesaid normal contribution made on account of such members during the remainder of

their active service. The rate percentum originally so determined shall be known as the "deficiency contribution rate." On the basis of the first actuarial valuation following the 1st day of April, 1965, the deficiency contribution rate shall be revised, to provide for the liquidation of the deficiency then existing.

- d) The total amount payable in each year to the pension accumulation fund shall not be less than the sum of the rates percentum known as the normal contribution rate and the deficiency contribution rate of the total compensation earnable by all members during the preceding fiscal period; provided, however, the sum of such rates percentum need not exceed the rate percentum of the earnable salary of all members obtained by deducting from seventy (70) percentum of the total liabilities of all funds except the annuity savings fund the amount of the funds in hand to the credit of such funds and dividing the remainder by one (1) percentum of the present value of the prospective future salaries of all members as computed on the basis of the mortality and service tables adopted by the retirement board and regular interest. The aggregate payment by the city into the pension accumulation fund shall be sufficient, when combined with the amount in the fund, to provide the pension payable out of the fund during the year then current.
- e) The deficiency contribution shall be discontinued as soon as the accumulated reserve in the pension

accumulation fund shall equal the present value, as actuarially computed and approved by the city council, of the total liability of such fund less the present value, computed on the basis of the normal contribution rate then in force, of the normal contributions to be received on account of persons who are at that time members.

- f) All pensions with the exception of those payable on account of members who received no prior service allowance shall be paid from the pension accumulation fund.
- g) Upon the retirement of a member not entitled to prior service allowance, an amount equal to his pension reserve shall be transferred from the pension accumulation fund to the pension reserve fund.
- 4) Pension reserve fund. The pension reserve fund shall be the fund from which shall be paid the pensions to members not entitled to a prior service allowance. Should any disability pension payable from said fund be canceled, the pension reserve thereon shall thereupon be transferred from the pension reserve fund to the pension accumulation fund. Should the pension of a disability beneficiary be reduced as a result of an increase in his earning capacity, the amount of the annual reduction in his pension shall be paid annually into the pension accumulation fund during the period of such reduction.

This Ordinance will take effect as of July 1, 2006.

An Ordinance Amending Ordinance No. 342, Providing for the Assessment and Collection of 2005 taxes in a sum not less than Two Hundred Forty Five Million Dollars (\$245,000,000) and not more than Two Hundred Sixty Five Million (\$265,000,000) being based on a One Hundred Percent (100%) of the 2005-2006 Fiscal Year Tax Collections, Amending Section 21-182 of the Code of Ordinances to reflect the new Tax Classification Plan approved by the Rhode Island General Assembly, amending Section 21-126 of the Code of Ordinances to raise the personal exemptions, and setting the homestead rates for Fiscal Year 2006.

Be it ordained by the City of Providence:

Section 1. The City Council of the City of Providence, hereby orders the assessment and collection of a tax on the ratable real estate and tangible personal property, as well as orders the assessment and collection of an excise tax on all registered motor vehicles, in a sum not less than TWO HUNDRED FORTY FIVE MILLION DOLLARS (\$245,000,000) AND NOT MORE THAN TWO HUNDRED SIXTY-FIVE MILLION (\$265,000,000) being one hundred percent (100%) of the 2005-2006 year tax collection, as amended; said tax is for ordinary expense charges and for the payment of interest and indebtedness in whole or in part of said City and for other purposes authorized by law.

Section 2. The City Assessor shall assess and apportion said tax on inhabitants and ratable real estate and tangible personal property of said City as of the 31st day of December AD 2004 midnight, Eastern Standard Time, as well as assess and apportion said excise tax on owners of registered motor vehicles in the City of

Providence during calendar year 2004, according to law, and shall on completion of said assessment, date and sign, and shall make out and certify to the City Collector of the City of Providence, on or before the 15th day of June, AD 2005 a complete listing containing (1) the names of persons taxed and the total value of all real estate taxed to each; (2) the amount of the personal estate except manufacturer's machinery and equipment assessed against each person; and (3) the amount of said motor vehicle excise assessment against each person, on said real estate, personal estate and motor vehicle opposite the name of the person or persons assessed.

The assessment of real estate, personal estate and motor vehicles shall appear on separate lists.

Said taxes shall be due and payable on and between the first day of July, AD 2005, next, and the twenty fourth day of July, AD 2005, next, and all taxes remaining paid said last named day shall carry until collected a penalty at the rate of twelve per centum (12%) per annum upon such unpaid real estate, personal estate and excise taxes.

Said taxes may be paid in four installments, the first installment of twenty-five per centum (25%) on or before the twenty-fifth day of My, AD 2005, next, and the remaining installments as follows:

Twenty-five per centum (25%) on the
Twenty-fourth day of October, AD 2005
Twenty-five per centum (25%) on the
Twenty-fourth day of January, AD 2006
Twenty-five per centum (25%) on the
Twenty-fifth day of April, AD 2006

Each installment period successively and in order shall be free from any charges for interest. Provided, however, the option to pay taxes in quarterly installments shall not apply to any tax levied in an amount not hi excess of \$100.00. If the first installment or any succeeding installment of taxes is not paid by the last day of the respective installment period or periods as they occur, then the whole tax or remaining unpaid balance of the tax, as the case may be, shall immediately become due and payable and shall carry until collected a penalty at the rate of twelve per centum (12%) per annum on said real estate, personal estate and excise taxes.

The City Collector shall by advertisement in a public newspaper of the City notify all persons assessed to pay their respective taxes at his/her office; said Collector shall attend daily, Saturdays, Sundays, and holidays excepted at his/her office from eight-thirty o'clock a.m. to four o'clock p.m. to receive taxes.

Section 3. This ordinance is enacted pursuant to Rhode Island General Laws 44-5-2 (a).

Section 4. Section 21-182 of the Code of Ordinances, entitled "Apportionment of taxes," is amended as follows:

(a) The tax classification plan is hereby adopted with the following limitations:

- (1) The designated classes of property shall be limited to the four (4) classes as defined in subsection (b).
- (2) The tax rate for Class 2 shall not be more than two times the tax rate of Class 1, without regard to any applicable homestead exemption; the

tax rate applicable to Class 3 shall not exceed the tax rate of Class 1 by more than two hundred percent (200%).

- (3) Notwithstanding subdivisions (a)(2), the tax rate applicable to wholesale and retail inventory within Class 3 as defined in subsection (b) are governed by General Laws, section 44-3-19.1.
- (4) Notwithstanding subdivisions (a)(2), tax rates applicable to motor vehicles within Class 4 as defined in subsection (b) are governed by General Laws, section 44-34.1 -1.
- (5) The provisions of General Laws, chapter 35 of title 44 relating to property tax and fiscal disclosure applies to the reporting of and compliance with these classifications.

(b) *Classes of property.*

- (1) *Class 1.* Residential real estate consisting of no more than five (5) dwelling units, land classified as open space, and dwellings on leased land including mobile homes. This class may also include residential properties containing partial commercial or business uses and residential real estate of more than five (5) dwelling units. A homestead exemption is authorized within this class as follows: (a) owner-occupied residential real estate may be granted an exemption in an amount not to exceed fifty (50) per cent of the assessed valuation; except that owner-occupied residential real estate consisting of more than five (5) units may be granted an exemption in an amount not to exceed fifty (50)

per cent of the assessed valuation attributable to the first five (5) units. Owner-occupied mixed use real estate may be granted an exemption in an amount not to exceed fifty (50) per cent of the assessed valuation attributable to the first five (5) units of the residential portion of such real estate; or (b) in the case of non-owner-occupied residential real estate consisting of five (5) dwelling units or less an exemption in an amount not to exceed fifty (50) per cent of the assessed valuation may be granted. Non-owner-occupied residential real estate consisting of more than five (5) dwelling units may be granted an exemption in an amount not to exceed fifty (50) per cent of the assessed valuation attributable to the first five (5) units. Non-owner-occupied mixed used real estate may be granted an exemption in an amount not to exceed fifty (50) per cent of the assessed valuation attributable to the first five (5) units of the residential portion of such real estate. The percentage reduction in valuation of residential real estate pursuant to the homestead exemption shall apply to residential real estate containing five (5) or fewer dwelling units. In the case of multiple dwellings containing more than five (5) dwelling units, the percentage reduction in valuation shall be applied to the result of dividing the assessed valuation by the number of dwelling units in the multiple dwelling and multiplying the quotient by five (5).

The granting of an application for an owner-occupied or non-owner-occupied homestead

exemption as referenced above as (a) or (b) is subject to the following limitations:

- a. To be eligible for an (a) or (b) type homestead exemption, effective as to the assessment date of December 31 at midnight an applicant must file with the city assessor no later than July 31 a homestead exemption application, together with a declaration and present evidence, under oath or affirm, as to the owner-occupied or non-owner-occupied status together with any other proof of residency or ownership which may be required by the city assessor, except that for the assessment year ending December 31, 2000 the city assessor may utilize the data collected during the revaluation of real property for the assessment date of December 31, 2000 to establish the applicable type of homestead exemption. For good cause, the city assessor may, with the advice of the Board of Tax Assessment Review, accept applications for homestead exemptions filed after the filing deadline for current or previous year's taxes only.
- b. Only natural person(s) are qualified to receive the type (a) owner-occupied residential real estate homestead exemption. Real property which is partially or wholly owned by a business; an institution, a non-profit organization, a financial institution that has foreclosed on real estate, including HUD and Rhode Island Housing and Mortgage Finance Corporation or any other such public or private entity do not qualify for a type (a) owner-occupied homestead exemption.
- c. Only a natural person(s) may qualify for one (1) type (a) owner-occupied homestead exemption in the city at any one (1) point in time.
- d. The homestead exemption (a) or (b) attaches to the owner(s) of the real property not to the real property itself.
- e. The city assessor shall deny an application for the homestead exemption filed under either type (a) or (b) if the city assessor determines that an execution of record based upon a judgment of the housing court for a real estate code violation(s) against the applicant remains unsatisfied.
- f. In the event the property granted an exemption sold or transferred during the year for which the homestead exemption is claimed, the exemption is void for that portion of the year following the sale or transfer. The buyer or transferee shall be liable to the city for any tax benefit received after the date of sale or transfer.
- g. If the taxpayer knowingly gives misinformation as to ownership and/or occupancy of the real estate on his/her application for a homestead exemption, the city assessor may, in such event, remove the homestead exemption and recalculate the tax for the period in question and in addition charge the taxpayer the maximum interest permitted by law.
- h. The city assessor is empowered to promulgate any further rules and regulations which he/she deems necessary to carry out the intent and

purpose of this ordinance as it relates to the homestead exemption.

- (2) *Class 2.* Commercial and industrial real estate, residential properties containing partial commercial or business uses and residential real estate of more than five (5) dwelling units. Properties containing partial commercial or business uses and residential real estate of more than five (5) dwelling units may be included in class 1.
- (3) *Class 3.* All ratable tangible personal property.
- (4) *Class 4.* Motor vehicles and trailers subject to the excise tax created by General Laws, title 44, chapter 34.
- (c) The city, pursuant to General Laws, section 44-5-11.8(c), adopts a tax rate for Class 2 which shall not be more than two times the tax rate of Class 1, without regard to any applicable homestead exemption; the tax rate applicable to Class 3 shall not exceed the tax rate of Class 1 by more than two hundred percent (200%).

Section 5. In keeping with the authorization provided in Rhode Island General Laws Section 44-3-31, Section 21-126 of the Code of Ordinances is hereby amended as follows:

Notwithstanding any other provisions of general or special law to the contrary, the amount of the following exemptions with respect to the assessed value from local taxation on taxable property is fixed as follows:

- (a) Veterans as defined in Section 44-3-4 of the General Laws of Rhode Island and the unremarried widow or widower of such

veterans at four thousand five hundred dollars (\$4,500.00)

- (b) Blind persons as defined in Section 44-3-12 of the General Laws of Rhode Island at twenty-seven thousand dollars (\$27,000.00).
- (c) Veterans who are totally disabled as defined in Section 44-3-4 at nine thousand dollars (\$9,000.00).
- (d) Gold Star Parents as defined in Section 44-3-5 of the General Laws of Rhode Island at thirteen thousand five hundred dollars (\$13,500.00).
- (e) Specially adapted housing for paraplegic veterans as defined in Section 44-3-4 of the General Laws of Rhode Island at forty-five thousand dollars (\$45,000.00),
- (f) For any person sixty-five (65) years of age or over at fifteen thousand dollars (\$15,000.00);
- (g) For persons who are one hundred percent (100%) disabled as determined pursuant to title II and title XVI of the Social Security Act, 42 U.S.C. § 401 et seq., and 42 U.S.C. § 1381 et seq., as amended, or who, by reason of their being one hundred percent (100%) disabled, are receiving disability payments from sources other than the social security administration (such as employees of the railroad, federal civil service, postal service, and the Providence police and fire departments) at thirteen thousand five hundred dollars (\$13,500.00).

- (h) For any person sixty-two (62) through sixty-four (64) years of age, who is receiving social security benefits, thirteen thousand five hundred dollars (\$13,500.00).

Provided, however, that any such increase in exemption provided for herein over the amount heretofore provided by general or special law shall apply only to real property.

- (i) Prisoners of War who are veterans of military or naval service of the States of America, as defined in Section 44-3-4(e) of the General Laws of Rhode Island and the unmarried widow or widower of such prisoner of war at twenty-two thousand five hundred dollars (\$22,500.00).

Section 6. Effective for Fiscal Year 2005, and until changed, the homestead exemption shall be set as follows:

Residential real estate consisting of no more than five (5) dwelling units, land classified as open space, and dwellings on leased land including mobile homes. A homestead exemption is authorized within this class as follows: (a) owner-occupied residential real estate may be granted an exemption in an amount not to exceed fifty (50) per cent of the assessed valuation; except that owner-occupied residential real estate consisting of more than five (5) units may be granted an exemption in an amount not to exceed fifty (50) per cent of the assessed valuation attributable to the first five (5) units. Owner-occupied mixed use real estate may be granted an exemption in an amount not to exceed fifty (50) per cent of the assessed valuation attributable to the first five (5) units of the residential

portion of such real estate; or (b) in the case of non-owner-occupied residential real estate consisting of five (5) dwelling units or less an exemption in an amount not to exceed thirty-three (33) per cent of the assessed valuation may be granted. Non-owner-occupied residential real estate consisting of more than five (5) dwelling units may be granted an exemption in an amount not to exceed thirty-three (33) per cent of the assessed valuation attributable to the first five (5) units. Non-owner-occupied mixed used real estate may be granted an exemption in an amount not to exceed thirty-three (33) per cent of the assessed valuation attributable to the first five (5) units of the residential portion of such real estate. The percentage reduction in valuation of residential real estate pursuant to the homestead exemption shall apply to residential real estate containing five (5) or fewer dwelling units. In the case of multiple dwellings containing more than five (5) dwelling units, the percentage reduction in valuation shall be applied to the result of dividing the assessed valuation by the number of dwelling units in the multiple dwelling and multiplying the quotient by five (5).

Section 7. This ordinance shall take effect upon its passage.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Ordinances, the Second Time, seconded by COUNCILWOMAN WILLIAMS, by the Following Roll Call Vote:

AYES: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, BUTLER, DeLUCA, COUNCILWOMAN DIRUZZO, COUNCILMEN

HASSETT, IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS and YOUNG - 14.

ABSENT: COUNCILMAN ALLEN - 1.

The Motion for Passage the Second Time is Sustained.

NAYES: NONE.

CONTINUED BUSINESS

The Following Election was in City Council
March 2, 2006 and Laid on the Clerk's
Desk until March 16, 2006.

Election of Two Members to the
Recreational Advisory Board.

COUNCIL PRESIDENT LOMBARDI
Calls for Nominations for Two Members
to serve on the Recreational Advisory
Board.

COUNCILMAN BUTLER Nominates
Armand Batastini, Jr., and this
Nomination is seconded by COUNCILMAN
IGLIOZZI.

COUNCIL PRESIDENT LOMBARDI Calls
for further Nominations and there being
none, on motion of COUNCILMAN BUTLER,
seconded by COUNCILMAN IGLIOZZI, it is
voted that Nominations be closed and the
Clerk is directed to Cast One Ballot for
ARMAND BATASTINI, JR.

The Clerk Casts One Ballot as
directed.

COUNCILMAN HASSETT Nominates
Valentino J. Innocente, and this Nomination
is seconded by COUNCILWOMAN ROMANO.

COUNCIL PRESIDENT LOMBARDI
Calls for further Nominations and there
being none, on motion of COUNCILMAN
HASSETT, seconded by COUNCILWOMAN
ROMANO, it is voted that Nominations be
closed and the Clerk is directed to Cast One
Ballot for VALENTINO J. INNOCENTE.

The Clerk Casts One Ballot as directed.

COUNCIL PRESIDENT LOMBARDI,
Thereupon declares ARMAND BATASTINI,
Jr. and VALENTINO J. INNOCENTE duly
elected members to the Recreational
Advisory Board.

PRESENTATION OF ORDINANCE

**COUNCILMAN APONTE and COUNCIL
PRESIDENT LOMBARDI:**

An Ordinance in Amendment of Chapter 1997-69, No. 634, Approved November 3, 1997 Entitled: "An Ordinance in Amendment of and in addition to Section 17-59(c) of the

Code of Ordinances of the City of Providence, Entitled: "Overtime Pay", As Amended.

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

PRESENTATION OF RESOLUTIONS

**COUNCIL PRESIDENT LOMBARDI (By
Request):**

Resolution Requesting the Traffic Engineer to cause Hood Street to be designated as a "One-Way" Street in a southerly direction from Washington Street to Westminster Street.

**COUNCIL PRESIDENT LOMBARDI
Refers the Resolution to the Committee
on Public Works.**

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2006-H 7249, Requesting Rhode Island's 39 Cities and Towns to Support a Nationwide Boycott on all Petroleum-Based Products from the Exxon Mobil Corporation.

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

Resolution in Support of the John H. Chaffee Blackstone River Valley National Heritage Corridor Commission Reauthorization.

Whereas, The Blackstone River Valley National Heritage Corridor was established by an act of Congress in 1986 to recognize the national importance of this region as the "Birthplace of the American Industrial Revolution;" and

Whereas, The Blackstone Heritage Corridor consists of twenty-four communities in the states of Rhode Island and Massachusetts stretching from the Narragansett Bay in Providence, Rhode Island to the headwaters of the Blackstone River in Worcester, Massachusetts; and

Whereas, The Blackstone Heritage Corridor is considered a model for how local communities, state and federal agencies and

the business and preservation communities have adopted common goals and have formed strong partnerships to revitalize our historic communities, restore an urban waterway and preserve the special characteristics of the Blackstone River Valley landscape; and

Whereas,, The City of Providence, Rhode Island is seeking support for the reauthorization of the John H. Chafee Blackstone River Valley National Heritage Corridor Commission.

Now, therefore, be it resolved, That the City Council of the City of Providence endorses and supports this joint application of the twenty-four communities that make up this Bi-state region of New England designated as the John H. Chafee Blackstone River Valley National Heritage Corridor and respectfully submits a request for the reauthorization of the Blackstone River Valley National Heritage Corridor Commission.

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

The Motion for Passage is Sustained.

COUNCIL PRESIDENT LOMBARDI:

Resolution Establishing the Creation of an Advisory Committee for Planning and Zoning Issues.

Whereas,, The City of Providence has begun the long overdue process of revising and updating its Comprehensive Plan and Zoning Ordinance; and

Whereas,, By virtue of the complexity of the subject matter and its long term effects on

the city this process must be inclusive and comprehensive; and .

Whereas, Numerous stakeholders have expressed legitimate concerns as to the proposed methodology employed by the city to complete the process; and .

Whereas,, The timely and successful revision of these documents are vital to promote responsible growth and development and ensure the highest quality of life in our city in the future.

Now, therefore, be it resolved, That the City Council of the City of Providence does hereby create an advisory committee consisting of the following five (5) council members:

Council President John J. Lombardi
Councilwoman Rita M. Williams
Councilman Luis A. Aponte
Councilman John J. Iglizzi
Councilman David A. Segal

Be it further resolved, That said advisory committee will serve as liaisons to the land use consultant engaged by the City Council to assist them with this process.

COUNCILMAN APONTE Moves to Amend, the second sentence to create an Advisory Committee by inserting the following words "for Planning and Zoning Issues", which will read "Advisory Committee for Planning and Zoning Issues", seconded by COUNCILWOMAN WILLIAMS.

COUNCILMAN APONTE Moves Passage of the Resolution, As Amended, seconded by COUNCILWOMAN WILLIAMS.

**The Motion for Passage, As Amended
is Sustained.**

**COUNCIL PRESIDENT LOMBARDI
RELINQUISHES THE CHAIR**

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

**COUNCIL PRESIDENT LOMBARDI
RETURNS TO THE CHAIR**

Resolution Supporting the Inclusion of Municipal
Elected Officials in the "Revolving Door" Rule of
the State Ethics Code.

Whereas, The Rhode Island State Code of
Ethics contains a provision that prohibits
state elected officials from accepting or
seeking employment with other state
agencies for a minimum of one year after
they leave office; and

Whereas, The Rhode Island Ethics
Commission is considering expanding the
provision to include municipal elected
officials in the "revolving door" rule.

Now, therefore, be it resolved, That the City
Council of the City of Providence, recognizing
the importance of limiting political influence
in municipal and state agencies, does hereby
pronounce its support of including all
municipal elected officials in the Rhode
Island Code of Ethics "revolving door"
provision.

Be it further resolved, That the City
Council requests that a copy of this
resolution, upon approval, be forwarded to
the Rhode Island Ethics Commission.

**Read and Passed, on Motion of COUN-
CILMAN APONTE, seconded by COUN-
CILWOMAN WILLIAMS, by the Following
Roll Call Vote:**

**AYES: COUNCIL PRESIDENT LOMBARDI,
COUNCILMEN APONTE, DeLUCA,
COUNCILWOMAN DIRUZZO, COUNCILMEN
JACKSON, LUNA, MANCINI, COUN-
CILWOMEN ROMANO, WILLIAMS and
YOUNG - 11.**

NAYES: COUNCILMAN HASSETT - 1.

NOT VOTING: COUNCILMAN IGLIOZZI - 1.

**ABSENT: COUNCILMEN ALLEN, BUTLER
and SEGAL - 3.**

The Motion for Passage is Sustained.

**COUNCILMAN DeLUCA, COUNCIL
PRESIDENT LOMBARDI, COUN-
CILMEN ALLEN, APONTE, BUTLER,
COUNCILWOMAN DIRUZZO, COUN-
CILMEN HASSETT, IGLIOZZI, JACKSON,
LUNA, MANCINI, COUNCILWOMAN
ROMANO, COUNCILMAN SEGAL,
COUNCILWOMEN WILLIAMS and
YOUNG (By Request):**

Resolution Requesting the Rhode Island
General Assembly to oppose the proposed
budget cuts for Fiscal Year 2007, effective
June 1, 2006 that will reduce services to
people with disabilities and their families
by \$5.8 million (\$12.1 million with federal
match).

Whereas, The Governor has proposed a budget
for fiscal year 2006/2007 that has drastic cuts for
all Human Services agencies; and

Whereas, People with Disabilities will be most effected by losing 40% of their daily care; and

Whereas, The impact of this proposed budget to those families with Disabilities and the poor will be devastating.

Now, therefore, be it resolved, That the Providence City Council hereby requests the Rhode Island General Assembly to restore funding that will sustain the current level of services now being provided to people with Disabilities and their families.

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

The Motion for Passage is Sustained.

COUNCILWOMAN DiRUZZO (By Request):

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lots 326 and 574 (50 and 120 Aleppo Street, also known as Riverside Mills), in accordance with Section 2-76 of the Code of Ordinances, and Section 44-9-34 of the Rhode Island General Laws and also to execute a deed and transfer said lots to the Parks Department.

COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Finance.

COUNCILMAN HASSETT (By Request):

Resolution Requesting to change the address of "1000 Providence Place" to "903 Providence Place."

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

COUNCILMAN LUNA AND COUNCILMAN SEGAL:

Resolution Divesting from the Darfur Genocide.

COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Finance.

COUNCILMAN SEGAL (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of a "Resident-Only Parking and Overnight Parking" Sign on Benefit Street, near Athaneum Row.

COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Public Works.

Resolution Requesting the Traffic Engineer to cause the replacement of the missing street signs at Cooke Street and George Street.

Resolved, That the Traffic Engineer is requested to cause the replacement of the missing street signs at Cooke Street and George Street.

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

The Motion for Passage is Sustained.

COUNCILMAN SEGAL, COUNCILMAN LUNA, COUNCILWOMAN WILLIAMS and COUNCILMAN APONTE:

Resolution Encouraging Brown University to maintain an independently-owned bookstore on Thayer Street.

Whereas, If the Brown Bookstore is outsourced to a national retail vendor such as Barnes & Noble, Thayer Street will lose a profitable community bookstore that has operated independently for over 35 years and;

Whereas, We believe that the presence of a national bookstore chain on Thayer Street would damage the character of the neighborhood, negatively impact the sustainability of other locally-owned businesses on Providence's East Side, and harm the experienced and dedicated employees of the Brown Bookstore; and

Whereas, A national chain homogenizes a community, and if the Bookstore were to be outsourced, we believe that this would drastically change the unique and vibrant identity of the East Side.

Now, therefore, be it resolved, That the City Council hereby encourages Brown University to maintain an independently-owned bookstore on Thayer Street.

Read and Passed, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, by the Following Roll Call Vote:

AYES: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, DeLUCA, LUNA, COUNCILWOMEN WILLIAMS and YOUNG - 6.

NAYES: COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, MANCINI and COUNCILWOMAN ROMANO - 6.

ABSENT: COUNCILMEN ALLEN, BUTLER and SEGAL - 3.

The Motion for Passage Fails.

COUNCILWOMAN WILLIAMS, COUNCIL PRESIDENT LOMBARDI, COUNCILMEN ALLEN, APONTE, BUTLER, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL and COUNCILWOMAN YOUNG (By Request):

Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2006-S 2458 and House Bill 2006-H 7356, Relative to State Affairs and Government.

Resolved, That the Members of the Providence City Council hereby Endorses and Urges Passage by the General Assembly of Senate Bill 2006-S 2458 and House Bill 2006-H 7356, Relative to State Affairs and Government.

COUNCILWOMAN WILLIAMS Moves to Amend the Resolution by deleting "Endorsing and Urging" and replacing it with "Opposing", seconded by COUNCILMAN APONTE.

COUNCILMAN APONTE Moves Passage of the Resolution, As Amended, seconded by COUNCILWOMAN WILLIAMS.

The Motion for Passage, As Amended, is Sustained.

REPORTS FROM COMMITTEE

COMMITTEE ON PUBLIC WORKS

COUNCILMAN TERRENCE M. HASSETT, Chairman

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

Resolution Requesting the Traffic Engineer to cause the installation of a "Stop" Sign on Hooker Street at Basswood Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of a "Stop" Sign on Hooker Street at Basswood Avenue.

Resolution Requesting the Traffic Engineer to cause the installation of a "Stop" Sign at the end of Homefield Avenue at Basswood Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of a "Stop" Sign at the end of Homefield Avenue at Basswood Avenue.

Resolution Requesting the Traffic Engineer to cause the installation of a "Four-Way Stop" Sign at Elmgrove Avenue and Irving Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of a "Four-Way Stop" Sign at Elmgrove Avenue and Irving Avenue.

Resolution Requesting the Traffic Engineer to cause the installation of a "One-Way - Do

Not Enter Between the Hours of 8:30 a.m. to 9:30 a.m. and 2:30 p.m. to 3:30 p.m. on School Days Only" Signs on Paul Street, in a westerly direction from Windmill Street to Charles Street.

Resolved, That the Traffic Engineer is requested to cause the installation of a "One-Way-Do Not Enter Between the Hours of 8:30 a.m. to 9:30 a.m. and 2:30 p.m. on School Days Only" Signs on Paul Street, in a westerly direction from Windmill Street to Charles Street.

Resolution Requesting the Traffic Engineer to expedite the installation of temporary signs on and around East Street and Wickenden Street, as appropriate, directing pedestrians seeking to use the now closed 195 pedestrian bridge towards other means of access to India Point Park.

Resolved, That the Traffic Engineer is requested to expedite the installation of temporary signs on and around East Street and Wickenden Street, as appropriate, directing pedestrians seeking to use the now closed 195 pedestrian bridge towards other means of access to India Point Park.

Resolution Requesting the Traffic Engineer to expedite the installation of a "Four-Way Stop" Sign at the intersection of Wayland Avenue and Pitman Street, as traffic flow will increase significantly with the opening of a new residential complex there in October.

Resolved, That the Traffic Engineer is requested to expedite the installation of a "Four-Way Stop" Sign at the intersection of Wayland Avenue and Pitman Street, as traffic flow will increase significantly with the opening of a new residential complex there in October.

Resolution Requesting the Traffic Engineer to cause the installation of "No Parking" Signs along the odd numbered side of Zella Street in its entirety.

Resolved, That the Traffic Engineer is requested to cause the installation of "No Parking" Signs along the odd numbered side of Zella Street in its entirety.

Resolution Requesting the Traffic Engineer to cause the installation of "No Parking" Signs on both sides of Dean Street between Broadway and Atwells Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of "No Parking" Signs on both sides of Dean Street between Broadway and Atwells Avenue.

Resolution Requesting Narragansett Electric Company to transfer electric poles (utility poles) on Meeting Street from the South

Side to the North Side between Thayer Street and Brown Street to accommodate the Gilbane Corporation Construction need.

Resolved, That Narragansett Electric Company is requested to transfer electric poles (utility poles) on Meeting Street from the South Side to the North Side between Thayer Street and Brown Street to accommodate the Gilbane Corporation Construction need.

Resolution Requesting the Traffic Engineer to cause the inspection and review of the traffic conditions within the proximity of Douglas Avenue and Fillmore Street with consideration of posting a school crossing guard and other measures in favor of safety for school children attending Times² School located at Fillmore Street.

Resolved, That the Traffic Engineer is requested to cause the inspection and review of the traffic conditions within the proximity of Douglas Avenue and Fillmore Street with consideration of posting a school crossing guard and other measures in favor of safety for school children attending Times² School located at Fillmore Street.

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

The Motion for Passage is Sustained.

COMMITTEE ON FINANCE

COUNCILMAN KEVIN JACKSON, Chairman

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

Resolution Requesting the Tax Assessor to apply the Homestead Exemption to the property located at 14 Imperial Place, Unit 404, for the 2005 tax roll.

Resolved, That the Tax Assessor is hereby authorized to apply the Homestead Exemption to the property located at 14 Imperial Place, Unit 404, for the 2005 tax roll.

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

The Motion for Passage is Sustained.

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

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lot 294 (11 Steere Avenue), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Two Thousand Nine Hundred Seventy Nine Dollars and Seventy Nine (\$2,979.79) Cents, or any taxes accrued, including 2004 & 2005 taxes, plus any interest accrued, as requested by Habitat for Humanity of Rhode Island.

Resolved, That the taxes assessed upon Assessor's Plat 63, Lot 292 (15 Steere Avenue), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law: Section 44-7-23, in the amount of Three Thousand Five Hundred Twenty Three Dollars and Forty Six (\$3,523.46) Cents, or any taxes accrued, including 2004 & 2005 taxes, plus any interest accrued, as requested by Habitat for Humanity of Rhode Island.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lot 292 (15 Steere Avenue), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Three Thousand Five Hundred Twenty Three Dollars and Forty Six (\$3,523.46) Cents, or any taxes accrued, including 2004 & 2005 taxes, plus any interest accrued, as requested by Habitat for Humanity of Rhode Island.

Resolved, That the taxes assessed upon Assessor's Plat 63, Lot 294 (11 Steere Avenue), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, in the amount of Two Thousand Nine Hundred Seventy Nine Dollars and Seventy Nine (\$2,979.79) Cents, or any taxes accrued, including 2004 & 2005 taxes, plus any interest accrued, as requested by Habitat for Humanity of Rhode Island.

**Resolution Reporting Receipt of Certain Gifts of Moneys
by the Board of Park Commissioners for the preservation
and care of specified burial lots in North Burial Ground.**

Resolved, That the following gifts of the following sums of money, to the Board of Park Commissioners, in trust, the income thereof to be applied, under the provisions of Chapter 367 of the Public Laws, January Session 1861, to the preservation and care of the following specified burial lots in said ground be and the same are hereby respectively accepted.

From	The Sum of	The Lot Standing in Name of	First Accepted Under the Name of
Roosevelt Horton	\$ 120.00	S. G. #121 E. of Palm Ave.	Same
Arlantuya Oshirvandi	\$ 120.00	S. G. #134 E. of Palm Ave.	Same
Joaquin F. Ganes	\$ 120.00	S. G. #120 E. of Palm Ave.	Same
Sylvester Farrell & Wf. Gracio	\$ 140.00	Lot #8236 Section 26	Same
Louis Parham	\$ 120.00	S. G. #133 E. of Palm Ave.	Same
Palme Eshokurt	\$ 560.00	Lot 8237 Section 16	Same

From	The Sum of	The Lot Standing in Name of	First Accepted Under the Name of
Vernell Mc Lain	\$120.00	S. G. #132 E. of Palm Ave.	Same
Christine D. Proctor	\$120.00	S. G. #119 E. of Palm Ave.	Same
John N. Rotholis, Bessie Papagiotis & John R. Papagiotis	\$140.00	Lot #8239 Section 26	Same
Michael T. Papagiotis & Wf. Bessie, other M. Papagiotis & Martha J. Wilson	\$400.00	Lot #8240 Section 26	Same
Witch Kuzandjian	\$312.00	Lot #8238 Section 22	Same
Ann Domelins	\$120.00	S. G. #131 E. of Palm Ave.	Same

From	The Sum of	The Lot Standing in Name of	First Accepted Under the Name of
Dolores C. Shorts	\$120.00	S. G. #124 E. of Palm Ave.	Same
Miriam Torres	\$120.00	S. G. #130 E. of Palm Ave.	Same
Shirley Percy	\$120.00	S. G. #129 E. of Palm Ave.	Same
Eugene Moore Dentzler	\$120.00	S. G. #118 E. of Palm Ave.	Same
Amida V. Bagdasarov	\$120.00	S. G. #117 E. of Palm Ave.	Same
Seta S. Darbinian	\$280.00	Lot #8241 Section 26	Same

From	The Sum of	The Lot Standing in Name of	First Accepted Under the Name of
Melaine Stone	\$120.00	S. G. #128 E. of Palm Ave.	Same
Eloise T. Cyr	\$120.00	S. G. #127 E. of Palm Ave.	Same
George H. Greene & Wf. John J. Catherine V. Albanese & Laura J. Albanese	\$120.00 \$280.00	S. G. #116 E. of Palm Ave. Lot 8242 Section 26	Same Same

From	The Sum of	The Lot Standing in Name of	First Accepted Under the Name of
Irville D. Sellers	\$120.00	S. G. #218 E. of Palm Ave.	Same
Marianna Cecilio	\$120.00	S. G. #217 E. of Palm Ave.	Same
Shirley Peterson	\$400.00	Lot #8243 Section 19	Same
Manuel Barrows	\$120.00	S. G. #115 E. of Palm Ave.	Same
Rileen Torres	\$120.00	S. G. #216 E. of Palm Ave.	Same
Virginia L. Taylor	\$120.00	S. G. #96 E. of Palm Ave.	Same

From	The Sum of	The Lot Standing in Name of	First Accepted Under the Name of
Nagop Donoyan & Wf. Salpi	\$480.00	Lot #8245 Section 22	Same
Nagop G. Donoyan & Wf. Segau	\$312.00	Lot #8246 Section 22	Same
Nemes Donoyan & Wf. Roseanne	\$312.00	Lot #8247 Section 22	Same
Rita Dontraliou	\$280.00	Lot #8244 Section 26	Same
Nomad A. Brown	\$120.00	25th Garvo, Row 6 N. of Main	Same
Debra Huzile	\$120.00	S. G. #215 E. of Palm Ave.	Same

From	The Sum of	The Lot Standing in Name of	First Accepted Under the Name of
Konstantinos Kostas	\$280.00	Lot #8249 Section 26	Same
Freeman A. Doreau & Wf. Lois V.	\$520.00	Lot #8250 Section 15	Same
Estate of Marion Chasman	\$120.00	S. G. #214 E. of Palm Ave.	Same
Arlene J. Barrows	\$120.00	S. G. #213 E. of Palm Ave.	Same
Carl T. Snyder, Jr.	\$280.00	Lot #8248 Section 26	Same
Eleodina Hallilovic	\$120.00	S. G. #212 E. of Palm Ave.	Same

From	The Sum of	The Lot Standing in Name of	First Accepted Under the Name of
Martha G. Howard	\$120.00	S. G. #211 E. of Palm Ave.	Same
Priscilla A. Walid	\$120.00	S. G. #97 E. of Palm Ave.	Same
Argentina Perez	\$120.00	S. G. #98 E. of Palm Ave.	Same
Roman L. Lambert	\$120.00	S. G. #210 E. of Palm Ave.	Same
Sacira Hallilovic	\$120.00	S. G. #209 E. of Palm Ave.	Same

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, seconded by COUNCILWOMAN WILLIAMS, by the Following Roll Call Vote:

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

NAYES: NONE.

ABSENT: COUNCILMAN ALLEN, BUTLER and SEGAL - 3.

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

COMMITTEE ON ORDINANCES

COUNCILWOMAN RITA M. WILLIAMS, Chairwoman

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

An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence Entitled: "The City of Providence Zoning Ordinance", Approved June 27, 1994, As Amended. (Port/Maritime)

Read and Passed the First Time, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, by the Following Roll Call Vote:

AYES: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN

HASSETT, IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMEN ROMANO, WILLIAMS and YOUNG - 12.

NAYES: NONE.

ABSENT: COUNCILMAN ALLEN, BUTLER and SEGAL - 3.

The Motion for Passage the First Time, is Sustained.

COMMUNICATIONS AND REPORTS

Communication from Mayor David N. Cicilline, dated February 28, 2006, submitting the Community Development Block Grant Budget for Year 32 (2006-2007).

COUNCIL PRESIDENT LOMBARDI Refers the foregoing Communication to the Committee on Urban Redevelopment, Renewal and Planning.

Communication from William B. Trinqué, Director, Telecommunications Department, submitting the 2005 Annual Report.

Communication from Councilwoman Rita M. Williams, dated March 8, 2006, Informing the City Clerk that she is this day re-appointing Mr. Stanley Bleecker of 515 Wayland Avenue, Providence, Rhode Island 02906, to the Providence External Review Authority (PERA), for a term to expire in March, 2009.

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

COUNCIL PRESIDENT LOMBARDI Receives the Several Communications.

FROM THE CLERK'S DESK

Petition from William Brody, Esquire, Attorney for ProvPort, Inc., requesting the establishment of an easement on a portion of Assessor's Plat 56, Lot 288 for continued use in the operations of the Port of Providence.

Petition from David A. Duffy, Chairman of the Rhode Island Convention Center Authority requesting approval for permanent easements on, under, and over Aborn Street, including an easement for the expansion of the building, easements for portions of the addition's foundations and an aerial easement, as well as the realignment of the northerly curb of Aborn Street, necessary for major renovations and improvements to the Dunkin' Donuts Center, which will include the expansion of the concourse surrounding the facility and the addition of luxury boxes.

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

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

Petitions for Compensation for Injuries and Damages, viz:

Ryan M. Williams

Dianne LaMontagne

Robert S. Legge, Jr.

Kathleen Lasko

USAA a/s/o Lucille Gince

Liberty Mutual a/s/o Joseph Oloja

Anthony Velino

Amanda Borges

Eric J. Ditz

Jan Jungclaus

Nelfa Agosto
(Christopher E. Fay, Esquire)

Avis Carnevale

Rosemarie Sickie
(John S. Coughlin, Esquire)

Carl Cruso
(Santino A. Martinelli, Esquire)

Oscar Ochoa

Matthew S. Boutin

USAA a/s/o Daniel Decesare

Mona Flenke

Vincenzo Vescera

Monique Grant
(John F. Perrotta, Esquire)

Dawn Valentim

COUNCIL PRESIDENT LOMBARDI Refers the Several Petitions to the Committee on Claims and Pending Suits.

PRESENTATION OF RESOLUTIONS

"In Congratulations"

COUNCIL PRESIDENT LOMBARDI and the MEMBERS OF THE CITY COUNCIL:

Resolution Extending Congratulations.

Resolved, That the Members of the City Council hereby Extend their Sincere Congratulations to the following:

John "Jack" Murray, in recognition of his retirement from the distinguished service of the Providence Police Department.

The Stakeholders of the Prairie Avenue Revitalization Initiative, in recognition of their commitment to developing a vision and plan for the economic and residential revitalization of Upper South Providence.

Lisa A. Goyette, in recognition of the celebration of her thirtieth birthday on March 6, 2006.

Mark and Daniella Noonan, in recognition of the celebration of the happy occasion of their wedding on March 17, 2006.

Father Alfred P. Almonte, C.S., in recognition of today's Eucharist of Thanksgiving celebrating the forty-fifth anniversary of his priesthood,

Alex S. Iannetta, in recognition of achieving the rank of Eagle Scout, Troop 76, Providence.

Vincent J. Blais, in recognition of achieving the rank of Eagle Scout, Troop 76, Providence.

Alexander F. Devers, in recognition of achieving the rank of Eagle Scout, Troop 76, Providence.

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

The Motion for Passage is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

**COUNCIL PRESIDENT LOMBARDI and
the MEMBERS OF THE CITY COUNCIL:**

Resolution Extending Sympathy.

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

Paul F. Norton

Richard E. "Red" Moore

Albert A. Isabella

Rose L. Misurelli

Barbara J. Farrell

Nancy M. Mellor-McKendall

Mary F. DiGianfilippo

Gloria Kennedy Roberts

T. Frank Furey

Anne M. Daniels

Elena A. Pisaturo

Phyllis A. Santagata

The Honorable Donald P. Ryan

Armando "Mondo" Damiani

Esther R. Zarrella

Nicola Lomazzo

William H. Cardarelli .

Eleanor F. Slater

Vincenza Medeiros

James T. Fitzgerald

Mary J. Mangiacapro

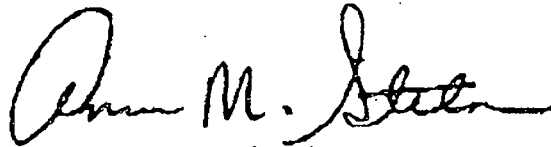
David Bruce Hochman

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

The Motion for Passage is Sustained.

ADJOURNMENT

There being no further business, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 8:20 o'clock P.M. (E.S.T.), to meet again on THURSDAY, APRIL 6, 2006 at 7:30 o'clock P.M. (E.S.T.).



ANNA M. STETSON
CITY CLERK



