



Department of Planning and Development

DAVID N. CICILLINE
Mayor

January 26, 2005

President John J. Lombardi, Esquire
Providence City Council
Dorrance Street
Providence, RI 02903

Re: Compliance with RIGL 45-31-19

Dear Council President Lombardi:

In accordance with RIGL 45-31-19 members of the staff of the Department of Planning and Development are disclosing to you any financial interest that the individuals may have in property located in redevelopment areas. (See attached disclosure forms) This law requires that written disclosure must be made to the city council and it is required that such disclosure must be recorded in the minutes of the city council.

We have also attached for your information an opinion issued by the Redevelopment Agency's legal counsel.

Sincerely,

Thomas E. Deller, AICP
Director

C: Mayor David N. Cicilline
Carol Grant

IN CITY COUNCIL

FEB 17 2005

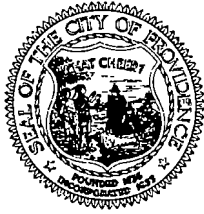
**READ
WHENUPON IT IS ORDERED THAT
THE SAME BE RECEIVED.**

FILED RECORDED & INDEXED
PROVIDENCE, R.I. JAN 28 2005

2005 JAN 28 P 12: 22 *meua.com*

DEPT. OF CITY CLERK
PROVIDENCE, R.I.

CP 300



Department of Planning and Development

DAVID N. CICILLINE
Mayor

Disclosure of Financial Interest

In accordance with RIGL 45-31-19 "Interest of officers and employees in project area properties", I am disclosing that I have or will work on the development of redevelopment project area plans and policies. At the present time,

I do not have any ownership interest, direct or indirect, in any property located within a redevelopment area.

I have an ownership interest, direct or indirect, in the following properties located within a redevelopment area:

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2. Property Address: _____
3. Property Address: _____
4. Property Address: _____
5. Property Address: _____

Name: Thomas E. Deller

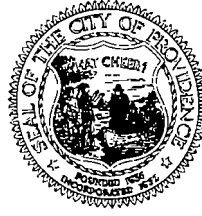
Position: Director of Planning / Executive Director - P&D

Date: 1/4/05

[Signature]
Signature

Marcia J. Janni
Notary

10-4-08
Commission Expires



Department of Planning and Development

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1. Property Address: _____
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5. Property Address: _____

Name: Linda M. Painter

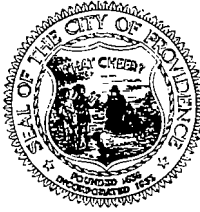
Position: Deputy Director

Date: 1/5/08

Linda M. Painter
Signature

Marisa Jyp
Notary

10-4-08
Commission Expires



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1. Property Address: _____
2. Property Address: _____
3. Property Address: _____
4. Property Address: _____
5. Property Address: _____

Name: Amentha K. Cunniff

Position: Deputy Director - Development

Date: 1/13/05

[Signature]
Signature

[Signature]
Notary

10/4/08
Commission Expires



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1. Property Address: 44 Halsey St. #2
2. Property Address: _____
3. Property Address: _____
4. Property Address: _____
5. Property Address: _____

Name: Stephen A. Vadnais

Position: Director of Compliance & Monitoring

Date: 1/12/05

Stephen Vadnais

Signature

Syneth Buor
Notary
Syneth Buor

10/21/06
Commission Expires



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1. Property Address: 78 STANWOOD STREET
2. Property Address: _____
3. Property Address: _____
4. Property Address: _____
5. Property Address: _____

Name: APRIL H. WOLF

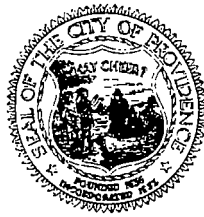
Position: DIRECTOR OF REAL ESTATE

Date: 1/5/05

April H. Wolf
Signature

Marcia Perry
Notary

10-4-08
Commission Expires



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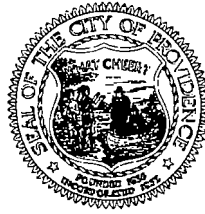
Name: Michael Leone

Position: Asst Director Construction / Management

Date: Jan. 26 2004

Michael Leone
Signature

Marcea J. J... Notary
10/4/08 Commission Expires



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1. Property Address: _____
2. Property Address: _____
3. Property Address: _____
4. Property Address: _____
5. Property Address: _____

Name: Robert E. Azar

Position: Principal Planner

Date: 1/26/05

Robert E. Azar
Signature

Marcia Jennie
Notary

10/4/08
Commission Expires



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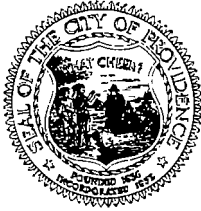
Name: Christopher J. Ise

Position: Planner

Date: 1/5/05

Christopher J. Ise
Signature

Marisa Jennings 10-4-08
Notary Commission Expires



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1. Property Address: 84 Oak Street, Unit 2
2. Property Address: 84 Oak Street, Unit 3
3. Property Address: _____
4. Property Address: _____
5. Property Address: _____

Name: Bonnie Lloyd

Position: Principal Planner

Date: January 4, 2005

Bonnie J Lloyd
Signature

Marcia Jennip
Notary

10-4-08
Commission Expires



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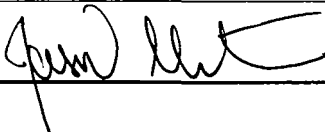
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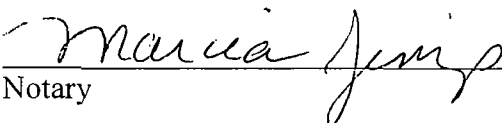
1. Property Address: _____
2. Property Address: _____
3. Property Address: _____
4. Property Address: _____
5. Property Address: _____

Name: JASON MARTIN

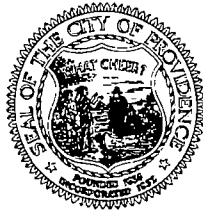
Position: PRESERVATION PLANNER

Date: 1/7/05


Signature


Notary

10-4-08
Commission Expires



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1. Property Address: _____
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3. Property Address: _____
4. Property Address: _____
5. Property Address: _____

Name: Miche Stehelenburg

Position: Principle Planner

Date: 1/26/09

Miche Stehelenburg
Signature

Marcel Jussip
Notary

10/4/08
Commission Expires



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4. Property Address: _____
5. Property Address: _____

Name: Roberta Groch

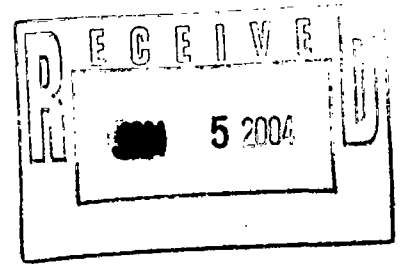
Position: Principal Planner

Date: 1/26/05

Signature

Maree Junip
Notary

10/4/08
Commission Expires



January 5, 2005

VIA HAND DELIVERY

Thomas E. Deller AICP
Director for Planning
City of Providence
Planning & Development Department
400 Westminster Street
Providence, Rhode Island 02903

Dear Thom:

You have asked me for a letter providing further discussion of the provisions of R.I. Gen. Laws § 45-31-19, a section of the Redevelopment Act of 1956, which governs redevelopment agencies such as the Providence Redevelopment Agency (the "PRA").

More specifically, Section 19 provides as follows:

"No officer or employee of the community or of the agency who in the course of his or her duties is required to participate in the formulation of plans or policies for the redevelopment of a project area, or to approve those plans and policies, shall acquire any interest in any property included within a project area within the community. If the officer or employee owns or has any financial interest, direct or indirect, in any property included within a project area, he or she shall immediately disclose, in writing, the interest to the legislative body of the community, and the disclosure shall be entered in the minutes of the agency and of the legislative body. Failure to disclose the interest constitutes misconduct in office. No payment shall be made to any member or officer of an agency for any property or interest in property acquired by the agency from the member or officer, unless the amount of the payment is fixed

by court order in eminent domain proceedings, or unless the payment is unanimously approved by the legislative body.”

This is obviously a broad provisions, and you have asked me to discuss its impact on the PRA, since you note that much of the City of Providence is located within designated Redevelopment Areas, and that many employees of the PRA own property in such areas. I will direct my comments only to the impact of the statutory provision on the PRA.

First, the provision pertains to officers or employees who are required to participate in the formulation of plans or policies for the redevelopment of a “Project Area” or to approve those plans or policies (hereinafter referred to collectively as a “Policy Person”). This provision would appear to be broad enough to cover a PRA officer or employee who participates in or approves plans and policies for one particular Redevelopment Area and lives in another Redevelopment Area, since the term “Project Area” by definition means any portion of any Redevelopment Area.

Secondly, this restriction would appear to prohibit the acquisition of an interest in such property at such time as the individual is a Policy Person. It would not appear to restrict the acquisition by an individual of property in a Redevelopment Area if such interest was acquired prior to the individual becoming a Policy Person or after the individual has left the PRA and is no longer a Policy Person. While this restriction is phrased in terms of a prohibition, there is no expressly stated penalty for a violation of this prohibition. However, the statute does provide that if a Policy Person owns or has any financial interest, direct or indirect, in any property within a Project Area, the Policy Person “shall immediately disclose, in writing, the interest to the legislative body of the community and the disclosure shall be entered in the minutes of the agency and of the legislative body”, and the failure to disclose such interest “constitutes misconduct in office”. This reporting requirement would appear to include an interest in property which the Policy Person acquired before becoming a Policy Person.

The statute would also prohibit any payment made to any member or officer of the PRA for any property or interest in property acquired by the PRA from such individual unless paid pursuant to court order in an eminent domain proceedings, or unless unanimously approved by the legislative body.

As noted above, while the statute prohibits a Policy Person from acquiring such an interest, it does not expressly fix a penalty, although it appears to require disclosure in the event that the Policy Person has such an interest. It is unclear from the statute whether a Policy Person could acquire such an interest in a Redevelopment Area, and merely be obligated to report the interest as provided in the statute, and thereby be in

Thomas E. Deller AICP

January 5, 2005

Page 3

compliance with the statute. However, my interpretation would be that the statute prohibits an acquisition of such a property interest while the individual is a Policy Person.

The statute does not define what constitutes an "interest in property" but I would understand this to mean, given the context of the statute, an interest for which compensation may be paid if the PRA acquires such interest by condemnation or purchase. This would certainly include an ownership interest, and would probably include a long term leasehold interest, including a ground lease, and an easement interest as well.

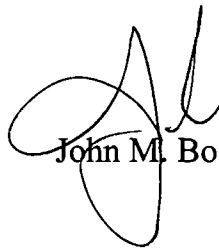
Given the breadth of the statute, it would be appropriate for the PRA to request that all its employees and officers who meet the definition of a "Policy Person", as that term is used in this letter, disclose any such property interest in a Redevelopment Area in writing to the City Council as required by the statute.

Additionally, given that much of the City of Providence is designated Redevelopment Areas, and that the City of Providence obviously has an interest in its employees living in the City, it would be appropriate to seek amendment of the statute to provide that the acquisition of such property interest is allowed as long as the interest is disclosed.

I trust this discussion has been helpful, and I look forward to talking with you or April in more detail in the event that you have further questions.

All best wishes.

Sincerely,



John M. Boehnert

JMB:emw

cc: Ms. April Wolf

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