

**CITY OF PROVIDENCE  
RHODE ISLAND**



**CITY COUNCIL  
JOURNAL OF PROCEEDINGS**

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**No. 21 City Council Regular Council Meeting, Thursday, July 21, 2016, 7:00 o'clock P.M.**

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**PRESIDING  
COUNCIL PRESIDENT  
LUIS A. APONTE**

**CALL TO ORDER**

**PRESENT: COUNCIL PRESIDENT APONTE, COUNCILWOMAN CASTILLO,  
COUNCILMAN CORREIA, COUNCILWOMAN HARRIS,  
COUNCILMEN IGLIOZZI, JACKSON, JENNINGS, COUNCILWOMAN MATOS,  
COUNCILMEN NARDUCCI, PRINCIPE, COUNCILWOMAN RYAN,  
COUNCILMEN SALVATORE, YURDIN AND ZURIER – 14.**

**ABSENT: COUNCILMAN HASSETT – 1.**

**ALSO PRESENT: LORI L. HAGEN, CITY CLERK, SHERI A. PETRONIO,  
SECOND DEPUTY CITY CLERK, TINA L. MASTROIANNI, ASSISTANT CLERK  
AND JEFFREY DANA, CITY SOLICITOR**

**IN CITY COUNCIL**  
**SEP 01 2016**  
**APPROVED:**  **CLERK**

## ROLL CALL

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## INVOCATION

The Invocation is given by **COUNCILMAN SETH YURDIN**.

**"Let's all take a moment to reflect on the work that we are doing and to make sure that is done on behalf of the people we represent and do the best we can for them. Thank you."**

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## PLEDGE OF ALLEGIANCE

**COUNCILMAN SAMUEL D. ZURIER** Leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

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## APPROVAL OF MINUTES

Journal of Proceedings No. 20 of the Regular Meeting of the City Council held July 7, 2016, are approved as printed, on Motion of **COUNCILMAN PRINCIPE**, Seconded by **COUNCILMAN CORREIA**.

<b>RESULT:</b>	<b>APPROVED (WITH VOTE) [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Principe
<b>SECONDER:</b>	Councilman Correia
<b>AYES:</b>	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliozi, Jackson, Jennings, Councilwoman Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
<b>ABSENT:</b>	Councilman Hassett – 1.

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## APPOINTMENTS BY HIS HONOR THE MAYOR

Communication from His Honor the Mayor, dated July 6, 2016, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended and Section 42-63.1-11 of the Rhode Island General Laws, he is this day appointing **Jim Paulon**, General Manager of the Providence Marriott Downtown Hotel, to the **Greater Providence-Warwick Convention and Visitors Bureau** for a term to expire on June 30, 2019. (Mr. Paulon will replace Mr. Churchhill who has resigned.)

Communication from His Honor the Mayor, dated July 11, 2016, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended, and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day re-appointing **Matthew Mortiz** of 29 Burlington Street, Providence, Rhode Island 02906, to the **Bike and Pedestrian Advisory Commission**, for a term to expire on June 11, 2020.

**COUNCILMAN PRINCIPE Moves to Dispense with the Reading of the foregoing matters, Seconded by COUNCILMAN CORREIA.**

**COUNCIL PRESIDENT APONTE Receives the Several Communications.**

<b>RESULT:</b>	<b>RECEIVED</b>
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## **PERSONAL EXPRESSION**

**COUNCILMAN NARDUCCI Requests the privilege of the floor to speak on a Point of Personal Expression and states:**

"Tonight is a special night. First, I would like to say hello to our Superintendent of Parks Wendy Nilsson, Joe Wojtanowski, Deputy Director Neighborhood Park Services and Bryan Burns, Deputy Superintendent. As you are well aware, we talked about it at the last meeting, on June 14<sup>th</sup> we had a severe fire down at the Parks and we were very fortunate we lost a lot of material, but it was replaceable material, lives you cannot replace. On this day we had a Parks employee actually rush in to where the fire was burning to warn other employees that were inside the building that they didn't know what was going on with the fire at that time. David Doti is responsible for the lives of at least four to six people as far as I look at it, and I want to thank you for doing what you did that day, and I thought it would be a great thing to have you and your family here tonight so we can give you a proclamation. Again, this is to recognize heroes of that day because everything can be replaced, lives we can't replace. So, we have a proclamation here from the City Council and the Council President and it says, "State of Rhode Island Providence Plantations City of Providence official citation. Be it hereby know to all that the Providence City Council hereby offers its sincerest congratulations to David Doti, in recognition of your heroic efforts on June 13, 2016 alerting your coworkers of a fire at the Carriage House in Roger Williams Park and assisting them out of the building to safety. The Members of the City Council extend their very best wishes on this memorable occasion and expression their hope for continued good fortune. Given this 7<sup>th</sup> day July, 2016 by Council President Luis A. Aponte and sponsored by the City Council". David, thank you again very much for all you did for us.

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## **ORDINANCE(S) SECOND READING**

**The Following Ordinances were in City Council July 7, 2016, Read and Passed the First Time and are Severally Returned for Passage the Second Time:**

**COUNCILMAN SALVATORE, (By Request):**

An Ordinance in Amendment of Chapter 14, Article V of the Code of Ordinances, Entitled: "Engineers and Boiler Operators," to change Section 14-95, delete Section 14-101, and add Sections 14-103 through 14-107.

SECTION 1. Chapter 14-95 in Chapter 14, "Licenses," Article V, "Engineers and Boiler

Operators," of the Code of Ordinance of the City of Providence is hereby amended as follows:

**Sec. 14-95. - Same-Fees.**

Each applicant for a stationary engineer, boiler operator, apprentice boiler operator, or refrigeration engineer license, and each application for renewal shall pay to the director, at the time of application, the following fee:

<u>Bi-annual License</u>	<u>Fee</u>
Stationary engineer	\$ <del>100</del> 50.00
Boiler operator .....	<del>80</del> 40.00
Apprentice boiler operator (6 month license only)	20.00
Refrigeration machine operator .....	<del>80</del> 40.00

SECTION II. Chapter 14, "Licenses," Article V, "Engineers and Boiler Operators," of the Code of Ordinance of the City of Providence is hereby amended to delete the following section:

**~~Sec. 14-101. - Computer-operated equipment.~~**

- (a) ~~Any boiler, refrigeration machinery, turbine, air conditioning system, diesel generator or gas generator which is monitored by a computer-based system shall not require an onsite licensed operator during the hours of 6:00 p.m. and 6:00 a.m.; a time when most building occupancy is at a minimum. From 6:00 a.m. to 6:00 p.m., a licensed operator shall be on the site at all times and in the vicinity of the boiler or equipment rooms; or shall be in a remote area which is provided with alarms in monitoring gages that are both visible and audible. Any such remote area must be approved by the director or the chief mechanical inspector. These hours may be changed with the approval of the chief mechanical inspector to correspond to the actual work hours of an establishment.~~
- (b) ~~Computer based monitoring control systems shall maintain a printout [of] the following data:~~

- ~~(1) For all boilers: steam pressure, water temperature, high pressure steam, low and high water level, low and high water temperature, start stop and low fuel supply.~~
- ~~(2) For diesel generators: start stop and engine low fuel supply.~~
- ~~(3) For refrigeration machinery, air conditioning systems and gas generators: start stop.~~
- ~~(c) Records of data printout shall be kept for a period of three (3) years from the date of the recording. Records shall be available for onsite inspection by the director or an authorized representative.~~

SECTION III. Chapter 14, "Licenses," Article V, "Engineers and Boiler Operators," of the Code of Ordinance of the City of Providence is hereby amended to add the following sections:

**Sec. 14-103. - Criteria for authorization of computerized monitoring systems: monitors and indicators.**

The director of inspections and standards is authorized to permit computerized monitoring systems under certain circumstances.

- a. For a boiler, a 24-hour computerized monitoring system and automatic controls shall qualify if it meets the requirements of this section.
- b. For a boiler operating at 30 to 299 horsepower, the system shall monitor and indicate:
  - (1) Stack flue gas temperature;
  - (2) Burner status, including "on" and "off" indicators;
  - (3) Flame safety control status, including "normal" and "flame failure" indicators; and
  - (4) One of the following, as applicable:
    - (a) For steam boilers:
      - (i) Pressure; and
      - (ii) Water level; or
    - (b) For hot water boilers, temperature.

c. For a boiler operating at 300 horsepower or more, the system shall monitor, indicate, and record:

- (1) Stack flue gas temperature;
- (2) Burner status, including "on" and "off" indicators;
- (3) Flame safety control status, including "normal" and "flame failure" indicators; and
- (4) One of the following, as applicable:
  - (a) For steam boilers:
    - (i) Pressure; and
    - (ii) Water level; or
  - (b) For hot water boilers:
    - (i) Pressure; and
    - (ii) Temperature.

**Sec. 14-104. - Alarm.**

A computerized monitoring system shall be equipped with an alarm that will activate when:

- a. The stack flue gas reaches a high temperature;
- b. The burner status indicator indicates the burner is "off";
- c. The flame safety control status indicates a "flame failure"; and
- d. One of the following occurs, as applicable:
  - (1) For steam boilers, the:
    - (a) Steam reaches low or high pressure; or
    - (b) Water reaches low or high level;
  - (2) For a hot water boiler operating at 30 to 299 horsepower, the water reaches low or high temperature; or

(3) For a hot water boiler operating at 300 or more horsepower the water reaches low or high:

- (a) Pressure;
- (b) Temperature; or
- (c) Level.

**Sec. 14-105. - Automatic Shutdown.**

A computerized monitoring system shall be equipped with an automatic burner shutdown mechanism that will activate when:

- a. Stack flue gas reaches high temperature; and
- b. One of the following occurs, as applicable:
  - (1) For a steam boiler:
    - (a) Steam reaches high pressure; or
    - (b) Water reaches Low or high level;
  - (2) For a hot water boiler operating at 30 to 299 horsepower, water reaches high temperature; or
  - (3) For a hot water boiler operating at 300 or more horsepower, water reaches:
    - (a) High pressure;
    - (b) High temperature; or
    - (c) Low level.

**Sec. 14-106. - Manual Reset.**

a. Subject to Sec. 14-106(b), manual reset following an automatic shutdown as set forth in this section requires that a licensee or the licensee's designee shall physically inspect the boiler and appurtenances prior to restart.



b. Notwithstanding Sec. 14-106(a), the licensee shall be responsible for the safe operation of a boiler at all times.

**Sec. 14-107. - Miscellaneous Provisions.**

The director of inspections and standards may accept an alternate computerized monitoring system if the system is equipped with features that provide a comparable level of safety, monitoring, and control to those required by this ordinance, in the opinion of the director.

SECTION IV. These amendments shall take effect upon passage.

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An Ordinance Adopting the Community Development Block Grant Budget for Program Year 2016-2017 and Authorizing the Department of Planning and Development to submit the CDBG, HOME, ESG and HOPWA Budget and Application to the U.S. Department of Housing and Urban Development.

**Section 1** – The Budget for the July 1, 2016 – June 30, 2017 Program Year for CDBG, ESG, HOME and HOPWA funding is adopted as follows:

CDBG Allocation:	\$4,744,409.00
Reallocation of PEDP Program Income and Previous CDBG:	<u>\$310,000.00</u>
<b>Total CDBG to Allocate:</b>	<b>\$5,054,409.00</b>

**CDBG Administration:**

CDBG Admin	\$948,881.80
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**Scheduled 108 Repayment:**

Repayment of Section 108 Loan	\$170,000.00
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**CDBG Community Center Grants:**

Capital City Community Center	\$78,812.68
Community Action Partnership of Providence	\$30,000.00
DaVinci Center for Community Progress	\$54,311.09
Federal Hill House	\$34,219.91
Fox Point Senior Citizens	\$25,000.00
Joslin Community Center	\$38,506.69
Mount Hope Neighborhood Association	\$25,000.00
Silver Lake Community Center	\$58,718.13
Thomas Anton Community Center @ Hartford Park	\$42,342.93
Washington Park Citizens Association	\$66,200.08
West End Community Center	\$50,000.00
YWCA Rhode Island	<u>\$19,219.87</u>

<b>TOTAL COMMUNITY CENTER FUNDS</b>	<b>\$552,331.38</b>
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**CDBG Public Service Grants:**

Building Futures	\$20,695.82
Center for Dynamic Learning	\$20,000.00
City Year Providence	\$25,000.00
Clinica Esperanza/ Hope Clinic	\$25,000.00
College Visions	\$20,000.00
Federal Hill House	\$26,000.00
FirstWorks	\$29,000.00
Mt. Hope Learning Center	\$25,000.00
OpenDoors	\$25,000.00
Providence Children's Youth Cabinet	\$25,000.00
Providence CityArts for Youth	\$25,000.00
Providence Community Library	\$25,000.00
RI Urban Debate League	\$15,000.00
Serve Rhode Island	\$25,000.00
Sojourner House	\$22,500.00
Sojourner House	\$25,000.00
The Providence Plan	\$25,000.00
Young Voices	<u>\$25,000.00</u>

**TOTAL PUBLIC SERVICE FUNDS** **\$428,195.82**

**CDBG Economic Development Grants:**

Beautiful Day RI	<u>\$25,000.00</u>
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**TOTAL ECONOMIC DEVELOPMENT FUNDS** **\$25,000.00**

**CDBG Housing Grants:**

City of Providence	\$318,000.00
City of Providence	\$300,000.00
Providence Housing Authority	\$25,000.00
Operation Stand Down Rhode Island	\$25,000.00
The Providence Plan	<u>\$75,000.00</u>

**TOTAL HOUSING FUNDS** **\$743,000.00**

**CDBG Facility Improvement Grants:**

Citywide Sports Fields Improvement Program	\$174,000.00
Central/PCTA Practice Field Improvement	\$100,000.00
Lighting for Classical High School Field	\$50,000.00
Aldo Freda Field Improvements - Walking Path	\$75,000.00
Community Action Partnership of Providence	\$150,000.00
Matching Funds for EDA Grant for infrastructure	\$300,000.00

improvements at the American Tourister site  
(note: if EDA grant is not received or match amount  
is reduced, 2/3 will be reallocated to support  
EveryHome and 1/3 will be reallocated to support  
Home Repair Program)

New Urban Arts	\$25,000.00
ONE Neighborhood Builders	\$400,000.00
Providence Community Library – Mt. Pleasant Branch	\$67,000.00
Roger Williams Day Care	\$50,000.00
West End Community Center	<u>\$75,000.00</u>

**TOTAL FACILITY IMPROVEMENT FUNDS** **\$1,467,000.00**

**CDBG Neighborhood Investment Strategies Grants:**

Ward 1 Sidewalk Improvements	\$35,000.00
Wickenden Street Tree Guards	\$15,000.00
Hope High School Improvements	\$25,000.00
Ward 2 Sidewalk Improvements	\$25,000.00
Hope High School Field Lights	\$50,000.00
Prete Metcalf Playground Expansion	\$20,000.00
Wanskuck Boys & Girls Club Building Improvements	\$15,000.00
Providence Community Library Wanskuck Branch	\$15,000.00
Ward 5 Tree Planting Project	\$5,000.00
Ward 5 Sidewalk Improvements	\$30,000.00
Viscolosi Park Improvements	\$15,000.00
Joslin Recreation Center Windows Replacement	\$50,000.00
Scalabrini Piazza Bell Tower Work	\$20,000.00
Scoreboard at Neutaconkanut Park Little League Field	\$5,000.00
Daniel Avenue Park Playground	\$12,500.00
Cerbo Square Improvements	\$12,500.00
Ward 8 Sidewalk Improvements	\$50,000.00
Roger Williams Park Baseball Field Concession Stand	\$20,000.00
Amos Earley Park-Cadillac Drive Lights	\$30,000.00
Ward 10 Sidewalk Improvements	\$50,000.00
Ward 11 Sidewalk Improvements	\$50,000.00
Roger Recreation Center Improvements	\$25,000.00
Ward 12 Tree Planting	\$10,000.00
Smith Hill CDC	\$15,000.00
DPW Traffic Flow Improvements	\$20,225.00
Aldo Freda Field Improvements	\$9,000.00
West Broadway Middle School Improvements	\$6,775.00
Westminster Trash Receptacles	\$8,000.00
Carl Lauro School Improvements	\$6,000.00
RFK School Improvements	\$25,000.00
Fagnoli Park Improvements	\$25,000.00
Wallace Street Park Improvements	\$25,000.00
Ward 15 Sidewalk Improvements	<u>\$25,000.00</u>

**TOTAL NEIGHBORHOOD INVESTMENT STRATEGIES** **\$750,000.00**

The authority of this ordinance is referenced in of the Code of Ordinances for the City of Providence identified as Chapter 2003-45.

The City of Providence through its Department of Planning and Development is also authorized to submit applications for the following:

**HOME Investment Partnerships Program:**

Affordable Housing Funding	\$1,132,760.70
HOME Administrative Funds	<u>\$125,862.30</u>
<b>TOTAL HOME PROGRAM</b>	<b>\$1,258,623.00</b>

**Housing Opportunities for Persons with AIDS Program:**

AIDS Care Ocean State	\$629,711.80
Justice Resource Institute	\$112,178.10
Stanley Street Treatment and Resources	\$110,000.00
HOPWA Administrative Funds	<u>\$26,347.10</u>
<b>TOTAL HOPWA PROGRAM</b>	<b>\$878,237.00</b>

**Emergency Solutions Grants:**

Crossroads Rapid Rehousing and Rental Assistance	\$143,128.30
Crossroads Essential Services	\$164,238.00
Providence In-Town Churches Association	\$100,000.00
ESG Administrative Funds	<u>\$33,029.70</u>
<b>TOTAL ESG PROGRAM</b>	<b>\$440,396.00</b>

**Section 2** – This Ordinance shall take effect upon passage.

**COUNCILMAN PRINCIPE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Ordinances the Second Time, Seconded by COUNCILMAN CORREIA, by the following Roll Call Vote:**

<b>RESULT:</b>	<b>READ/PASSED SECOND TIME [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Principe
<b>SECONDER:</b>	Councilman Correia
<b>AYES:</b>	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Iglizzi, Jackson, Jennings, Councilwoman Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
<b>ABSENT:</b>	Councilman Hassett – 1.

**The Motion for Passage the Second Time is Sustained.**

## REPORT(S) FROM COMMITTEE(S)

### COMMITTEE ON PUBLIC WORKS COUNCILMAN MICHAEL J. CORREIA, Chairman

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

**COUNCIL PRESIDENT APONTE, (By Request):**

Resolution Authorizing the Execution a Construction and Maintenance Agreement with the State of Rhode Island with respect to the Blackstone River Bikeway - Segment 1A, Contract No. 2015-CH-090.

**WHEREAS**, The State of Rhode Island proposes to build a primarily off-road bikeway along and within a City park as well as on-road bike lanes within a City street; and

**WHEREAS**, Said improvements will also include relocation of the existing City dog park and environmental remediation planning per the Coastal Resources Management Council's Assent.

**NOW, THEREFORE, BE IT RESOLVED**, That His Honor, the Mayor, is authorized to execute a Construction and Maintenance Agreement with the State of Rhode Island with respect to the Blackstone River Bikeway - Segment 1A, Contract No. 2015-CH-090. Said Agreement shall be substantially in the form exhibited in Attachment "A", subject to such modifications as may be recommended by the Mayor and/or the Law Department.

**Read and Passed, on Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILMAN CORREIA.**

<b>RESULT:</b>	<b>READ AND PASSED [13 TO 0]</b>
<b>MOVER:</b>	Councilman Principe
<b>SECONDER:</b>	Councilman Correia
<b>AYES:</b>	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Jackson, Jennings, Councilwoman Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 13.
<b>ABSENT:</b>	Councilman Hassett – 1.
<b>RECUSED:</b>	Councilman Iglioizzi – 1.

**The Motion for Passage is Sustained.**

**COMMITTEE ON ORDINANCES**  
**COUNCILMAN TERRENCE M. HASSETT, Chairman**

**Transmits the Following with Recommendation the Same be Adopted:**

**COUNCILMAN JACKSON, (By Request):**

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 November 24, 2014, As Amended, to change the Zoning District Designation of Plat 5, Lot 517 (9 Duncan Avenue) from R-3 to C-2.

**Read and Passed the First Time, on Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILMAN CORREIA, by the following Roll Call Vote:**

<b>RESULT:</b>	<b>READ/PASSED FOR THE FIRST TIME [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Principe
<b>SECONDER:</b>	Councilman Correia
<b>AYES:</b>	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliozi, Jackson, Jennings, Councilwoman Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
<b>ABSENT:</b>	Councilman Hassett – 1.

**The Motion for Passage the First Time is Sustained.**

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**COMMITTEE ON FINANCE**  
**COUNCILMAN JOHN J. IGLIOZZI, Chairman**

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

**COUNCILMAN JACKSON, (By Request):**

An Ordinance Amending Chapter 17, Article III of the Code of Ordinances, Entitled: "Compensation and other Benefits."

## **COUNCILMAN CORREIA, COUNCILWOMAN MATOS**

An Ordinance of the City of Providence Approving Improvements to the Providence Water Supply Board's Distribution System and Appurtenances thereto, including, but not limited to the Cleaning, Relining, Repair and Replacement of Water Mains, Transmission Lines, Service Lines and Valves, and all Attendant Expenses and Approving the Financing thereof by the Issuance of Water Revenue Bonds and Notes therefor in an amount not to exceed \$18,000,000.

**COUNCILMAN PRINCIPE Moves to Dispense with the Reading of the foregoing matters and Moves Passages of the Several Ordinances the First Time, Seconded by COUNCILMAN CORREIA, by the following Roll Call Vote:**

<b>RESULT:</b>	<b>READ/PASSED FOR THE FIRST TIME [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Principe
<b>SECONDER:</b>	Councilman Correia
<b>AYES:</b>	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliozi, Jackson, Jennings, Councilwoman Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
<b>ABSENT:</b>	Councilman Hassett – 1.

**The Motion for Passage the First Time is Sustained.**

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

Resolution Approving and Ratifying the Tentative Agreement by and between the City of Providence, Rhode Island and Council 94, AFSCME, on behalf of Local 1339 for the period of September 1, 2015 through August 31, 2018.

**RESOLVED**, That the accompanying copy of the Collective Bargaining Agreement by and between the City of Providence, Rhode Island and Council 94, AFSCME, on behalf of Local 1339 for the period of September 1, 2015 through August 31, 2018, is hereby approved and ratified by the Providence City Council.

**Read and Passed, on Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILMAN CORREIA, by the following Roll Call Vote:**

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Principe
<b>SECONDER:</b>	Councilman Correia
<b>AYES:</b>	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliozi, Jackson, Jennings, Councilwoman Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
<b>ABSENT:</b>	Councilman Hassett – 1.

**The Motion for Passage is Sustained.**

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**COUNCIL PRESIDENT APONTE, (By Request):**

Resolution Authorizing Approval of the following Sole Source Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

Pascale Services	\$25,000.00
(Public Works)	

**RESOLVED**, That the Members of the Providence City Council hereby Authorize Approval of the following Sole Source Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

Pascale Services	\$25,000.00
(Public Works)	

**Read and Passed, on Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILMAN CORREIA and Refer Back to Board of Contract and Supply.**

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Principe
<b>SECONDER:</b>	Councilman Correia
<b>AYES:</b>	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliozi, Jackson, Jennings, Councilwoman Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
<b>ABSENT:</b>	Councilman Hassett – 1.

**The Motion for Passage is Sustained.**



## PERSONAL EXPRESSION

**COUNCILMAN ZURIER Requests the privilege of the floor to speak on a Point of Personal Expression and states:**

"I rise to state concerns on the lack of respect for the law in the Finance Committee. One example is from May 17<sup>th</sup>, in which the Chair announced that he directed the Treasurer not to issues checks to a consultant. First, because the consultant refused to appear before the committee, and second because as a retired city employee the consultant exceeded the permitted number of working days. After the announcement, I raised my hand in the committee meeting to be recognized, the Chair informed me that I would have permission to speak if I was going to speak in agreement with what was just announced and that I would not have permission to speak if I was going to speak in disagreement. This is not anything I've seen since elementary school, if not before. I stated that I would like the Solicitor to provide an opinion about some of the matters beginning with whether the Chair of the Finance Committee can act on his own initiative to direct the Treasurer not to issue a check. The Chair ruled the question out-of-order. Within a week, the City Solicitor informed the Chair that he did not have the legal authority to stop the consultants check, that the consultant was not required to attend finance committee meetings and that the Finance Chair was wrong about the consultants eligibility to be paid. In this way the Finance Chair acted illegally after refusing to consult with the Solicitor and refusing to listen to a fellow City Council member who was trying to help him out. This merely represented a waste of time, but also undermined the credibility of the Finance Chair and the Finance Committee. One might of thought there was an opportunity for the Finance Chair and the Finance Committee to learn from these mistakes, but unfortunately that has not proven to be the case. Tonight, the Finance Chair announced that further review of the \$40 million dollar infrastructure bond will be postponed until the Treasurer hires separate bond council. Once again, I raised my hand with the intention of asking the Solicitor whether the Treasurer has the authority to hire a bond council. That is an action by the City Council as a whole. This time the Chair refused to recognize me through discussion of the agenda item and even though my hand was up the whole time and then denied my explicit request afterwards to be recognized. Had I been permitted to speak, I would have asked the Solicitor to provide an opinion. My concern arises from Section 603(b)(2) of the City Charter, which is part of the rest of the powers of the City Solicitor which reads as follows: "To be the Chief Legal Advisor of an attorney for the city and all departments, boards, commissions, bureaus and officers thereof in the matters relating to their official powers and duties. No department, board, commission, bureau or officer shall employ any other attorney at the expense of the city or through the use of any funds from the federal government or other source, unless otherwise provided by this Charter, or unless the City Council shall approve such employment by ordinance". Now, the Treasurer is an officer. So, my question to the Solicitor will be, and I will submit it to him tomorrow, whether the Treasurer has the authority to hire legal counsel not by an act of an ordinance. At least we can ask the Solicitor for his opinion. Now, alternatively the City Council can engage a consulting attorney through Section 401(b) of the Charter, which empowers the City Council, and I quote "to retain by 2/3 vote of the entire City Council and to fix the salaries of those consultants it deems necessary for the exercise of its functions including, but not limited legal counsel, accountants, engineers" and so forth. We did that in a case of engaging counsel for the firefighters case, but we did not do it here. The rule of practice in

the City Council is for members and committees to seek the Solicitor's advice when there is a legal question and to act in accord with that advice, or as the Chair is known to say to seek permission instead of forgiveness or alternatively to take the appropriate legislative action to engage outside counsel. The Finance Committee does not follow this well-known practice, instead it takes legal and questionable action without consulting with the Solicitor and taking a further step of letting City Council members out-of-order if they happen to suggest asking for a legal opinion. Abraham Lincoln was known to have said "he who represents himself has a fool for a client", but that only begins to address the situation here. We are elected officials who have taken an oath to uphold the law including the City Charter and the city ordinances and it is not correct for city officials who have taken that oath to repeatedly thumb their nose at the rules. Now, maybe I misread the Charter this time, and I will ask the Solicitor for an opinion, but we know for sure that the Finance Committee refuses to seek these opinions or even to recognize people in the room who request it. Whatever opinion we ultimately receive from the Solicitor on this issue, we need this committee to show greater respect for the law and for the City Council members who are trying to help the committee comply with the law. By the way, he is postponing the City Council's consideration of an infrastructure bond that cannot be placed on the ballot unless an ordinance is passed by the City Council and the docket deadline is in early August. It is sad to see this committee hold this ordinance hostage while showing no respect for the law in contempt for City Council members. I respectfully submit that the business of the people of the City of Providence is too important for this type of chicanery. Thank you."

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## FROM THE CLERK'S DESK

Petitions for Compensations for Injuries and Damages, viz:

Elvis Pena  
(Christopher E. Fay, Esquire)  
Marianella Dossantos p.p.a. Isaac J. Muriel  
(Laura S. Cameron, Esquire)  
Last Exit Properties, LLC  
(Roger R. Allcroft, Esquire)  
Jennifer A. Thomas  
(John D. Plummer, Esquire)  
William Gaudet  
(Robert J. Levine, Esquire)  
Raymond Verrecchia  
Jennifer Moskal

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

<b>RESULT:</b>	<b>REFERRED</b>
<b>TO:</b>	Committee on Claims and Pending Suits

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Petition from Robert A. D'Amico II, Esquire, D'Amico Burchfield, LLP, 536 Atwells Avenue, Suite 1, Providence, Rhode Island 02909, requesting a zoning change for the property know as 10 Swift Street, Assessor's Plat 77, Lot 301, from R-2 to C-3.

**COUNCIL PRESIDENT APONTE Refers the Petition to the Committee on Ordinances.**

<b>RESULT:</b>	<b>REFERRED</b>
<b>TO:</b>	Committee on Ordinances

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Petition from Cynthia Langlykke, Director of Real Estate Development, Olneyville Housing Corporation d/b/a ONE Neighborhood Builders, 66 Chaffee Street, Providence, Rhode Island 02909, requesting to abandon Tanyard Lane.

**COUNCIL PRESIDENT APONTE Refers the Petition to the Committee on Public Works.**

<b>RESULT:</b>	<b>REFERRED</b>
<b>TO:</b>	Committee on Public Works

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## **COMMUNICATIONS AND REPORTS**

Communication from Susann G. Mark, Chairwoman, Providence Ethics Commission, dated July 15, 2016, submitting the Providence Ethics Commission's Annual Report.

**COUNCIL PRESIDENT APONTE Receives the foregoing Communication.**

<b>RESULT:</b>	<b>RECEIVED</b>
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## **PRESENTATION OF RESOLUTIONS "IN CONGRATULATIONS"**

### **COUNCIL PRESIDENT APONTE AND MEMBERS OF THE CITY COUNCIL**

Resolution Extending Congratulations.

RESOLVED, That the Members of the City Council hereby extend their Sincere  
Congratulations to the following:

David Doti, in recognition of his heroic efforts on June 13, 2016, alerting his co-workers of a fire at the Carriage House in Roger Williams Park and assisting them out of the building to safety.

Mr. & Mrs. Nicholas J. Narducci III, in recognition of the celebration of the Christening of their daughter, Emma Lacey Narducci, on July 10, 2016.

Kandy Rainey, in recognition of the celebration of her retirement after 48 years as a blackowned business, Kandy's Beauty Salon.

Rohan Duncan, in recognition of the celebration of the Grand Opening of New Kingston Jamaican Restaurant in the Olneyville Community.

Dr. Dario Rodriguez, Sindico Electo de Bonao Capital de la Provincia de Monseñor Nowel, in recognition of the celebration of his visit to the City of Providence.

**Severally Read and Collectively Passed, on Motion of COUNCILMAN PRINCIPE,  
Seconded by COUNCILMAN CORREIA.**

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Principe
<b>SECONDER:</b>	Councilman Correia
<b>AYES:</b>	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliozi, Jackson, Jennings, Councilwoman Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
<b>ABSENT:</b>	Councilman Hassett – 1.

**The Motion for Passage is Sustained.**

**PRESENTATION OF RESOLUTIONS  
"IN MEMORIAM"**

**COUNCIL PRESIDENT APONTE AND 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:

Beatrice R. Remington

Peter R. Carpenter

Nulita Tavares

Marisa F. Antonelli

Eleanor A. Reppucci

Barbara A. Venticinque

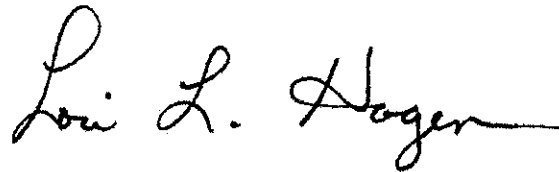
**Severally Read and Collectively Passed, by a Unanimous Rising Vote, on Motion of  
COUNCILMAN PRINCIPE, Seconded by COUNCILMAN CORREIA.**

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Principe
<b>SECONDER:</b>	Councilman Correia
<b>AYES:</b>	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliozi, Jackson, Jennings, Councilwoman Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
<b>ABSENT:</b>	Councilman Hassett – 1.

**The Motion for Passage is Sustained.**

### **CONVENTION**

There being no further business, on Motion of **COUNCILMAN PRINCIPE**, Seconded by **COUNCILMAN CORREIA**, it is voted to adjourn at 7:49 o'clock P.M., to meet again **TUESDAY, AUGUST 2, 2016 at 5:00 o'clock P.M.**

A handwritten signature in black ink, reading "Lori L. Hagen". The signature is written in a cursive, flowing style.

**LORI L. HAGEN  
CITY CLERK**