

**CITY OF PROVIDENCE  
RHODE ISLAND**



**CITY COUNCIL**

**JOURNAL OF PROCEEDINGS**

---

**No. 22 City Council Regular Council Meeting, Thursday, July 5, 2018, 7:00 o'clock P.M.**

---

**PRESIDING**

**COUNCIL PRESIDENT  
DAVID A. SALVATORE**

**CALL TO ORDER**

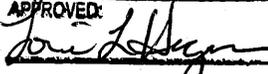
**PRESENT: COUNCIL PRESIDENT SALVATORE, COUNCILMAN APONTE,  
COUNCILWOMAN CASTILLO, COUNCILMAN CORREIA,  
COUNCILWOMAN HARRIS, COUNCILMAN IGLIOZZI, COUNCILWOMAN  
MATOS, COUNCILMEN NARDUCCI, PRINCIPE, COUNCILWOMAN RYAN,  
COUNCILMEN YURDIN AND ZURIER – 12.**

**ABSENT: COUNCILMEN HASSETT, JENNINGS AND COUNCILWOMAN  
LAFORTUNE – 3.**

**(SUBSEQUENTLY, COUNCILMAN JENNINGS AND COUNCILWOMAN  
LAFORTUNE JOIN THE MEETING)**

**ALSO PRESENT: LORI L. HAGEN, CITY CLERK, TINA L. MASTROIANNI,  
FIRST DEPUTY CITY CLERK, JENNIFER L. EMIDY, ASSISTANT CLERK AND  
JEFFREY DANA, CITY SOLICITOR**

**IN CITY COUNCIL  
JUL 23 2018**

**APPROVED:**  
**CLERK**

## ROLL CALL

---

### INVOCATION

The Invocation is given by **Reverend Patrick Briscoe, O.P., Associate Pastor, Saint Pius V Church.**

"Almighty, Bless our city, keep it true to the ideas of freedom, justice and brotherhood for all. Guard us from the scourge of water, fire, wind, fear, confusion, darkness, discord and sorrow. Be close to our councilors, give them vision and courage as they ponder decisions affecting the peace and future of our citizens. Make us all more deeply aware of our heritage, realizing not only our rights, but our duties and responsibilities as citizens. O God, we arrange all things according to a wonderful design, graciously receive the prayers we point out to You for our city, but through the wisdom of its leaders harmony and justice may be assured and lasting prosperity come with peace. We make this prayer through our Lord, Jesus Christ Your Son who lives and reigns with You in the unity of the Holy Spirit, One God for ever and ever. Amen."

---

### PLEDGE OF ALLEGIANCE

**COUNCILMEN SETH YURDIN** Leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

---

### APPROVAL OF MINUTES

Journal of Proceedings No. 18 of the Special Meeting of the City Council held June 20, 2018, Journal of Proceedings No. 19 of the Regular Meeting of the City Council held June 21, 2018 and Journal of Proceedings No. 20 of the Special Meeting of the City Council held June 22, 2018, are approved as printed, on Motion of **COUNCILMAN IGLIOZZI**, Seconded by **COUNCILWOMAN RYAN**.

<b>RESULT:</b>	<b>APPROVED (WITH VOTE) [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Igliazzi
<b>SECONDER:</b>	Councilwoman Ryan
<b>AYES:</b>	Council President Salvatore, Councilman Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilman Igliazzi, Councilwomen LaFortune, Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Yurdin and Zurier – 13.
<b>ABSENT:</b>	Councilmen Hassett and Jennings – 2.

## ORDINANCE(S) SECOND READING

**The Following Ordinances were in City Council June 21, 2018, Read and Passed the First Time and are Severally Returned for Passage the Second Time:**

### COUNCILMAN NARDUCCI

An Ordinance amending Chapter 4, "Animals and Fowl," Section 22, "Dog Breeding," and establishing Section 23, "Keeping and Harboring Additional Dogs" and Section 24, "Prohibition of the Sale of Dogs and Cats."

SECTION 1. The Code of Ordinances of the City of Providence, Chapter 4, Entitled, "Animals and Fowl," Article II, "Dogs," Section 22, is hereby amended as follows:

#### Sec. 4-22. - Dog Breeding

##### (a) Dog Breeding Permit

- (1) There shall exist a Dog Breeding Permit, issued by Animal Control at a cost of two hundred fifty dollars (\$250), which shall expire one (1) calendar year for the date it was issued. Permits shall be non-transferrable.
- (2) No Dog Breeding Permit shall be issued until and unless the applicant has obtained a breeder permit from the Rhode Island Department of Environmental Management (DEM), in compliance with to R.I. Gen. Laws § 4- 19-5.1, and Animal Control has reviewed and inspected the premises where the dogs are being kept and found it to be in compliance with all applicable laws and suitable for the proper care and breeding of dogs.
- (3) Animal Control maintain and enforce policies established by DEM for the suitable conditions for proper care and breeding of dogs. Such polices shall be publicly posted on the Animal Control website.

##### (b) Regulation

Unless an individual has obtained a Dog Breeding Permit, issued by Animal Control, as described in Sub Sec. (a) of this Ordinance, or the dog is otherwise exempt under the provisions of subsection (d) of this Ordinance, it shall be unlawful to:

- (1) cause or allow any male or female dog, owned or harbored in the City, to breed;
- (2) cause or allow any male dog, aged six (6) months or older, to remain unneutered;
- (3) cause or allow any female dog, aged six (6) months or older, to remain unspayed;
- (4) keep or harbor more than three (3) dogs, aged three (3) months or older, whether or not owned by such person, unless the individual has obtained an Additional Dog Permit or is otherwise exempt under the provisions of Sec. 4-23 of the Code of Ordinances.

(c) Penalty

- (1) Each violation of this section shall result in a penalty of one hundred dollars (\$100). Each dog breeding without a permit; each dog, aged six (6) months or older, unspayed or unneutered without a permit; and each dog, aged three (3) months or older, kept or harbored without a permit, shall count as a separate offense.
- (2) Animal Control shall have the authority to seize any and all dogs kept or harbored in violation of this ordinance.

(d) Exceptions

Dogs meeting the following criteria shall be exempt from the provisions of subsections (b)(1), (b)(2), and (b)(3) this ordinance:

- (1) The dog is otherwise exempt from a kennel license or license fee pursuant to R.I. Gen. Laws § 4-13-10; or
- (2) The owner of the dog provides a letter to Animal Control from a Rhode Island licensed veterinarian certifying that the dog is too sick or injured to be spayed or neutered and that the animal's health would be best served by spaying or neutering after a specified date; or that it is unsafe to spay or neuter the animal due to old age, the animal suffers from a permanent and serious medical condition, or the animal suffers from a permanent infirmity that would prevent the animal from reproducing. The letter shall include the veterinarian's license number.

SECTION 2. The Code of Ordinances of the City of Providence, Chapter 4, Entitled, "Animals and Fowl," Article II, "Dogs," Section 23, is hereby amended as follows:

Sec. 4-23. Keeping and Harboring Additional Dogs

(a) Additional Dog Permit

- (1) There shall exist an Additional Dog Permit, issued by Animal Control, at a cost of twenty-five dollars (\$25) each, which shall allow individuals to keep and harbor one additional dog beyond the maximum established in Sec. 4-22(b)(4) of the Code of Ordinances. An Additional Dog Permit shall be required for each dog owned in excess of the maximum established in Sec. 4-22(b)(4) of the Code of Ordinances. Each Additional Dog Permit issued shall specify the number of dogs kept or harbored by the individual at the time of issuance and the maximum number of dogs they are allowed to keep or harbor in their current dwelling.
- (2) No Additional Dog Permit shall be issued until and unless Animal Control has verified that all the dogs being kept and harbored by the applicant comply with the provisions of Sec. 4-22, subsections (b)(1), (b)(2), and (b)(3).

- (3) Animal Control shall establish policies for the issuance of Additional Dog Permits. Such policies shall be public documents available on Animal Control's website. Such policies shall include, but shall not be limited to, specifications relating to the minimum dwelling area required for keeping and harboring additional dogs, the minimum standards of care for additional dogs, and the rules and regulations for the suspension and/or revocation of Additional Dog Permits.
- (4) Additional Dog Permits shall continue to be valid until and unless the holder of the permit moves to a new address. It shall be the responsibility of permit-holders to inform Animal Control that they have moved. Permit-holders who inform Animal Control that they have moved shall, upon providing Animal Control with documentation verifying that the new dwelling where the dogs are kept or harbored meets the minimum standards for Additional Dog Permits established under this Ordinance, be issued a new Additional Dog Permit for each dog owned in excess of the maximum established in Sec. 4-22(b)(4) of the Code of Ordinances, for the new dwelling, at a cost of five dollars (\$5) each.
- (b) The provisions of Sec. 4-22(b)(4) of the Code of Ordinances shall not apply to, nor shall an Additional Dog Permit be required of any individual fostering dogs as part of a formal agreement or affiliation with Animal Control or a non-profit rescue organization, as defined in Sec. 4-24(a).

SECTION 3. The Code of Ordinances of the City of Providence, Chapter 4, Entitled, "Animals and Fowl," Article II, "Dogs," Section 24, is hereby amended as follows:

Sec. 4-24. Prohibition of the Sale of Dogs and Cats.

(a) Definitions.

*Commercial establishment* means any for profit business enterprise, including a sole proprietorship engaged in retail or wholesale commerce related to dogs and cats, including grooming parlors, canine day care, and boarding facilities.

*Non-profit rescue organization* means any animal shelter or animal rescue, duly registered pursuant to R.I. Gen. Laws § 4-19-4.

*Certificate of source* means any document from the source city animal shelter or animal control agency, humane society, or non-profit rescue organization declaring the source of the dog or cat on the premises of the pet shop, retail business, or other commercial establishment.

- (b) It is unlawful for any person to display, offer for sale, deliver, barter, auction, give away, transfer, or sell any live dog or cat in any pet store, retail business, or other commercial establishment located in the City of Providence.

(c) Nothing in this section shall prevent the owner, operator, or employees of a pet store, retail business, or other commercial establishment located in the City of Providence from providing space and appropriate care for animals owned by a city animal shelter or animal control agency, humane society, or non-profit rescue organization and maintain those animals at the pet store, retail business, or other commercial establishment for the purpose of public adoption. Such store, retail business, or other commercial establishment must confirm that the animals provided originate from entities that are duly registered under R.I. Gen. Laws § 4-19-3 or R.I. Gen. Laws § 4-19-4 and failure to do so shall constitute a violation of this section.

(d) Violations and penalties.

Any person or commercial establishment who violates, fails or refuses to comply with the provisions of this section shall be subject to a fine of not more than five hundred dollars (\$500) for each separate offense or community service for a period of not more than ninety (90) days or any combination of fine and/or community service. After the City of Providence issues a notice of violation of this section, a person or commercial establishment shall be considered to violate the provisions of this section, and shall be subject to an additional cumulative civil penalty of five hundred dollars (\$500), for each fourteen (14) day period the violation is not remedied following the issuance of the first notice of violation.

SECTION 4. This Ordinance shall take effect upon passage.

---

**COUNCILWOMAN HARRIS, (By Request):**

An Ordinance Amending Chapter 13, Article IV of the Code of Ordinances of the City of Providence, Entitled: "Residential Owner-Occupied Mortgage Foreclosure Intervention".

SECTION 1. Chapter 13, Article IV is hereby amended as follows:

Sec. 13-19. - Definitions.

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

*Good Faith* means that the mediation coordinator determines that the mortgagor and mortgagee deal honestly and fairly with each other and the mediation coordinator in an effort determine whether an alternative to foreclosure is economically feasible for the mortgagor and mortgagee, as evidenced by some or all of the following factors:

- (i) Mortgagee provided notice as required by this article;
- (ii) Mortgagee designated an agent to participate in the mediation conference on its behalf, and with the authority to agree to a work-out agreement on its behalf;

- (iii) Mortgagee made reasonable efforts to respond in a timely manner to requests for information from the mediation coordinator, mortgagor, or counselor assisting the mortgagor;
- (iv) Mortgagee declines to offer the mortgagor an eligible work-out proposal, and the mortgagee provided a detailed statement, in writing, of its reasons for rejecting the proposal;
- (v) Whether the mortgagee offers the mortgagor a work-out proposal that the mediation coordinator determines would result in net financial benefit to the mortgagor as compared to the terms of the mortgage, and /or is affordable to the mortgagor.

*HUD* means the United States Department of Housing and Urban Development.

*Mortgagor* means an individual who owns and resides in residential real property located in the City and County of Providence which is subject to a mortgage securing funds advanced by a Mortgagee.

*Mortgagee* means the holder of a mortgage recorded in the land evidence records of the city, including a mortgage servicer acting on behalf of a mortgagee.

*Mediation coordinator* means an individual employed by a Rhode Island based, HUD-approved independent counseling agency certified by the city to serve as the unbiased, impartial and independent coordinator of the mediation conference, with no authority to impose a solution or otherwise act as a consumer advocate.

*Mediation conference* means a conference involving the mortgagee and mortgagor, coordinated and facilitated by a mediation coordinator whose purpose is to determine whether an alternative to foreclosure is economically feasible to both the mortgagee and the mortgagor, and if it is determined that an alternative to foreclosure is economically feasible, to facilitate a loan workout or other solution in an effort to avoid foreclosure.

*Residential property* means real property, located within the City and County of Providence, that is (i) a single-family dwelling, (ii) a structure containing not more than four (4) residential units, (iii) a residential condominium unit, or (iv) a residential co-op unit, and which is occupied as a mortgagor's principal residence. Property deemed abandoned or under order for demolition as a result of fire or other calamity by the city's department of inspection and standards is not considered owner-occupied for the purpose of this article.

*Rules and regulations* means any rules adopted by the city necessary for the proper enforcement of this article to interpret and secure its intent.

*The city* means the City of Providence.

*The parties* means the homeowner/mortgagor and the lender/mortgagee.

(Ord. 2013, ch. 2013-5, 3-18-13) Sec. 13-20. - Statement of policy.

It is hereby declared that residential mortgage foreclosure actions, caused in part by an underperforming economy, rising interest rates, unemployment, and underemployment, have negatively impacted a substantial number of mortgagors in the city, creating a foreclosure crisis which endangers the economic stability of the city and the health and safety of its citizens. The prevalence of foreclosures lead to increases in unoccupied and unattended buildings in the city and give impetus to the continuation, extension and aggravation of urban blight and decay. More importantly, foreclosures cause the unnecessary and unwanted displacement of a considerable number of homeowners and tenants who desire to live and work in the city.

(Ord. 2013, ch. 2013-5, 3-18-13) Sec. 13-21. - Purpose.

The city's purpose in sections 13-19 through 13-23, inclusive, is to protect the public health, safety and welfare by providing early, HUD-approved independent counseling agency-supervised intervention in residential owner-occupied mortgage foreclosure cases which will assure timely determination of eligibility under various federal, state and local programs established to facilitate loan workout and other solutions to permit residential homeowners, where possible, to retain their properties and permit lenders to move forward to auction/sale of the properties and recordation of a foreclosure deed upon conclusion of the process.

(Ord. 2013, ch. 2013-5, 3-18-13) Sec. 13-22. - Notice of Intent to Foreclose/Mediation Conference.

Except as may be provided in this article, from and after the effective date of this article, a mortgagee initiating a non-judicial foreclosure must undertake each of the following actions:

- (1) The mortgagee shall provide written notice to the mortgagor at the address of the residential property and, if different, at the address designated by the mortgagor by written notice to the mortgagee as the mortgagor's address for receipt of notices, of its intent to foreclose on the subject residential property, and to participate in good faith in a mediation conference. The mortgagee shall deliver a copy of the notice to the recorder of deeds and the mediation coordinator at the same time it issues notice to the mortgagor. The notice to the recorder of deeds must include plat and lot information of the residential property.
- (2) A form of written notice meeting the requirements of this article shall be developed by the city at least thirty (30) days prior to the effective date of this article, and shall be in English, Portuguese, and Spanish.
- (3) Following the filing of such notice, the mediation conference shall take place in person, or over the phone, at a time and place deemed mutually convenient for the parties by an individual employed by a HUD-approved, independent counseling agency selected by the mortgagee to serve as a mediation coordinator. The mediation conference must be scheduled within sixty (60) days following receipt by the mediation coordinator of a completed notice of mediation, single point of contact information for the mortgagee, and payment by the mortgagee of applicable fees associated the mediation conference.
- (4) The mediation conference shall be provided at no cost to the mortgagor. The HUD-approved counseling agency shall be compensated by the mortgagee at a rate not to exceed five hundred dollars (\$500) per engagement.

- (5) If after two (2) attempts by the mediation coordinator to contact the mortgagor, the mortgagor fails to respond to the mediation coordinator's request to appear for the mediation conference, or the mortgagor fails to cooperate in any respect with the requirements outlined in this article, the requirements of the section will be deemed to be satisfied upon verification by the HUD-approved independent counseling agency that the required notice was sent; and if so, a certificate will be issued immediately by the HUD-approved independent counseling agency certifying compliance with this article.
- (6) Prior to the scheduled mediation conference, the homeowner/mortgagor will be assigned a loan counselor to be provided by a HUD-approved independent counseling agency. The mortgagor shall cooperate in all respects with the mediation coordinator and the counseling agency including, but not limited to, providing all necessary financial and employment information and completing all loan resolution proposals and applications deemed appropriate by the mediation coordinator and the counseling agency.
- (7) The mediation coordinator will provide information required by subsection (6) to the representative of the mortgagee.
- (8) If the mediation coordinator determines that, after a good faith effort made by the mortgagee at the mediation conference, the parties cannot come to an agreement to re-negotiate the terms of the loan in an effort to avoid foreclosure, such good faith effort by the mortgagee shall be deemed to satisfy the requirements of this article. A certificate certifying such good faith effort will be promptly issued by the HUD-approved independent counseling agency certifying compliance with this article. The certificate will be the form of a document to be filed along with all other relevant documents regarding the foreclosure with the recorder of deeds.
- (9) Cases involving premises which are not owner-occupied or which are not residential are not subject to this article.
- (10) Notwithstanding the foregoing, any mortgagee based within the State of Rhode Island and which services its own mortgages shall be deemed to be in compliance with the requirements of this section provided that:
  - a. The mortgagee is headquartered in Rhode Island or maintains a physical office in Rhode Island from which office it carries out full-service mortgage operations regarding mortgages on residential property located in the city, including the acceptance and processing of mortgage payments and the provision of local customer service;
  - b. The mortgagee offers mortgagors a forbearance relief program that is consistent with the forbearance relief requirements applicable to FHA-insured mortgages, as set forth in chapter 8 of HUD Handbook 4330.1 Rev. 5, Administration of Insured Home Mortgages, as the same may be amended from time to time; and
  - c. The mortgage has Rhode Island-based staff with the authority to approve loan restructuring and other loss mitigation efforts; and
  - d. The deed offered by a mortgagee to be filed with the recorder of deeds as a result of a mortgage foreclosure action contains a certification that the provisions of this subsection have been satisfied.

(Ord. 2013, ch. 2013-5, 3-18-13) Sec. 13-23. - Penalties and Effective Date.

- (1) Where the mortgagee presents a foreclosure deed for recording in the land evidence records of the city, and recorder of deeds determines that the mortgagee has failed in any material respect to comply with the requirements and provisions of this article, the recorder of deeds shall assess a penalty of five hundred dollars (\$500.00) in addition to any other penalties and fees that may be assessed prior to recording the foreclosure deed. The rights of the homeowner to any redress afforded under the law are not abridged by this article.
- (2) This ordinance shall have no effect unless and until the provisions of Rhode Island General Laws Section 34-27-3.2 are repealed or expire.

SECTION 2. This act shall take effect upon passage.

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

<b>RESULT:</b>	<b>READ/PASSED SECOND TIME [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Igliazzi
<b>SECONDER:</b>	Councilwoman Ryan
<b>AYES:</b>	Council President Salvatore, Councilman Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilman Igliazzi, Councilwomen LaFortune, Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Yurdin and Zurier – 13.
<b>ABSENT:</b>	Councilmen Hassett and Jennings – 2.

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

---

## PRESENTATION OF ORDINANCES

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

An Ordinance Establishing a Tax Stabilization Agreement for Providence 2017, LLC located at 145 Corliss Street.

---

**COUNCILWOMAN MATOS, COUNCILMAN CORREIA, (By Request):**

An Ordinance making an Appropriation of Seventy Eight Million Six Hundred Four Thousand Nine Hundred Thirty Six Dollars (\$78,604,936), for the support of the Providence Water Supply Board for the Fiscal Year Ending June 30, 2019.

---

An Ordinance making an Appropriation of Six Hundred Seventy Six Thousand Two Hundred Thirty One Dollars (\$676,231), for the Water Supply Board Property Tax Refund Fund for the Fiscal Year Ending June 30, 2019.

---

An Ordinance making an Appropriation of Six Million Four Hundred Twenty Two Thousand Eight Hundred Forty Three Dollars (\$6,422,843), for the Water Supply Board Capital Fund for the Fiscal Year Ending June 30, 2019.

---

An Ordinance making an Appropriation of Forty Nine Million Four Hundred Ninety Thousand Seven Hundred Seventy Five Dollars (\$49,490,775), for the Water Supply Board Infrastructure Replacement Program Fund for the Fiscal Year Ending June 30, 2019.

---

An Ordinance making an Appropriation of Two Million One Hundred Forty One Thousand Sixty Six Dollars (\$2,141,066), for the Water Supply Board Equipment Replacement Fund for the Fiscal Year Ending June 30, 2019.

---

An Ordinance making an Appropriation of Four Million Four Hundred Twenty One Thousand Four Hundred Thirty Three Dollars (\$4,421,433), for the Water Supply Board Insurance Fund for the Fiscal Year Ending June 30, 2019.

---

An Ordinance making an Appropriation of Five Million Nine Hundred Four Thousand Eight Hundred Forty Two Dollars (\$5,904,842), for the Water Supply Board Chemical Sludge Fund for the Fiscal Year Ending June 30, 2019.

---

An Ordinance making an Appropriation of Three Hundred Thirty Thousand Eight Hundred Fifty Eight Dollars (\$330,858), for the Water Supply Board Western Cranston Fund for the Fiscal Year Ending June 30, 2019.

---

An Ordinance making an Appropriation of Three Million Two Hundred Eighty Nine Thousand Three Hundred Sixteen Dollars (\$3,289,316), for the Water Supply Board Revenue Reserve Fund for Fiscal Year Ending June 30, 2019.

---

An Ordinance making an Appropriation of Four Hundred Six Thousand Five Hundred Dollars (\$406,500), for the Water Supply Board Lead Service Replacement Fund for Fiscal Year Ending June 30, 2019.

---

An Ordinance making an Appropriation of Six Million Six Hundred Eighty Seven Thousand Five Hundred Ninety Nine Dollars (\$6,687,599), for the Water Supply Board Water Quality Protection Fund for the Fiscal Year Ending June 30, 2019.

---

An Ordinance making an Appropriation of Two Million Six Hundred Three Thousand Seven Hundred Sixty Seven Dollars (\$2,603,767), for the Water Supply Board Meter Replacement Fund for the Fiscal Year Ending June 30, 2019.

---

An Ordinance Establishing a Compensation Plan for the Water Supply Board and Repealing Ordinance Chapter 2017-48, Effective October 12, 2017.

---

An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the Water Supply Board and Repealing Ordinance Chapter 2017-49, Effective October 12, 2017.

**COUNCILMAN IGLIOZZI Moves to Dispense with the Reading of the foregoing matters, Seconded by COUNCILWOMAN RYAN.**

**COUNCIL PRESIDENT SALVATORE Refers the Several Ordinances to the Committee on Finance.**

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

---

## PRESENTATION OF RESOLUTIONS

### **COUNCIL PRESIDENT SALVATORE, (By Request):**

Resolution Authorizing the Ratification of the agreement made and entered into by the State of Rhode Island, the Rhode Island Public Transit Authority and the City of Providence, and hereby authorizing the Mayor of Providence to execute said agreement on behalf of the city.

**WHEREAS**, The City of Providence (“City”) shall be the recipient of TAP funding from the United States Department of Transportation, administered through the Federal Highway Administration (hereinafter “FHWA”) under catalog of Federal Domestic Assistance (CFDA) 20.205; and

**WHEREAS**, The State of Rhode Island and Providence Plantations acting through its Department of Transportation (hereinafter the “State”) has approved the City’s application for the funding for improvements at Kennedy Plaza (hereinafter the Project), which is listed in the Transportation Improvement Program under ID# 1460 and for implementation in 2018 and 2019; and

**WHEREAS**, The City has agreed to contribute up to and not exceeding five hundred thousand dollars (\$500,000) in funding towards the design and engineering of the Project; and

**WHEREAS**, Pursuant to Section 2-21 of the Providence Code of Ordinances, all contracts made and entered into by or on behalf of the City shall be signed and executed by the Mayor of Providence.

**NOW, THEREFORE, BE IT RESOLVED**, That the City Council of the City of Providence hereby RATIFIES the accompanying Agreement made and entered into by and among the State, the Rhode Island Public Transit Authority (hereinafter “RIPTA”) and the City and hereby authorizes the Mayor of Providence to execute said Agreement on behalf of the City.

Resolution Authorizing the Mayor of the City of Providence to enter into a One-Year Agreement with Waterfire Providence.

**RESOLVED**, That the Members of the Providence City Council hereby Authorize the Mayor of the City of Providence to enter into a One-Year Agreement with Waterfire Providence.

**COUNCILMAN IGLIOZZI Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, Seconded by COUNCILWOMAN RYAN.**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Igliazzi
<b>SECONDER:</b>	Councilwoman Ryan
<b>AYES:</b>	Council President Salvatore, Councilman Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilman Igliazzi, Councilwomen LaFortune, Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Yurdin and Zurier – 13.
<b>ABSENT:</b>	Councilmen Hassett and Jennings – 2.

**The Motion for Passage is Sustained.**

---

**COUNCIL PRESIDENT SALVATORE**

Resolution Requesting the Traffic Engineer to cause the installation of crosswalks on Douglas Avenue between Eaton Street and Admiral Street.

---

Resolution Requesting the Traffic Engineer to cause the implementation of a traffic study on Douglas Avenue between Eaton Street and Admiral Street.

**COUNCILMAN IGLIOZZI Moves to Dispense with the Reading of the foregoing matters, Seconded by COUNCILWOMAN RYAN.**

**COUNCIL PRESIDENT SALVATORE Refers the Several Resolutions to the Committee on Public Works.**

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

**COUNCILWOMAN CASTILLO, COUNCILMAN APONTE**

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2018 H-8239 and Senate Bill 2018 S-2937, An Act Relating to Alcoholic Beverages - City of Providence Retail Licenses.

**RESOLVED**, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of House Bill 2018 H-8239 and Senate Bill 2018 S-2937, An Act Relating to Alcoholic Beverages - City of Providence Retail Licenses.

**Read and Passed, on Motion of COUNCILMAN IGLIOZZI, Seconded by COUNCILWOMAN RYAN.**

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Igliazzi
<b>SECONDER:</b>	Councilwoman Ryan
<b>AYES:</b>	Council President Salvatore, Councilman Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilman Igliazzi, Councilwomen LaFortune, Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Yuridin and Zurier – 13.
<b>ABSENT:</b>	Councilmen Hassett and Jennings – 2.

**The Motion for Passage is Sustained.**

---

**REPORT(S) FROM COMMITTEE(S)**

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

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

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 of Assessor's Plat 49, Lot 632 (769 Broad Street) from C-1 and R-3 to C-1.

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 for the property located at 41 Parade Street (Assessor's Plat 35, Lot 151), 45 Parade Street (Assessor's Plat 35, Lot 188), 19R Willow Street (Assessor's Plat 35, Lot 504), and 12 Oak Street (Assessor's Plat 35, Lot 153), from R3 to R4.

**COUNCILMAN IGLIOZZI Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Ordinances the First Time, Seconded by COUNCILWOMAN RYAN, by the following Roll Call Vote:**

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

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

## PERSONAL EXPRESSION

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

**“Two different issues. One, I think its proper that we recognize the birth of Mayor Elorza and Stephanie's baby, Omar. We send the best of luck and bless the baby boy. Secondly, God's always been good and no matter what God you believe in there is a way. Everyone knows what happened to my niece Haylee. Haylee is now home with her twin sister and her brothers, already watching her sister Brianna, her brother Sean and brother Caesar run around. Her cast came off her right leg, her left leg she still has a long road ahead of her. She came out of Children's Hasbro Hospital in a wheelchair pushed by herself and when she got near the door she asked her nurse can I take my walker and walk myself to the car. So, nobody is going to tell Haylee no at this point in time. She did, she approached the walker on her right foot holding up her left leg because she cannot apply any pressure onto her left leg and hopped with that little walker in front of her about fifteen steps from the front door of Hasbro Children's Hospital into her mom and dad's SUV. I want to thank everybody, because I know each and every one of you that I have talked to-I've shared pictures so, I want to really thank you for all you've done for myself and my family. You have all been there with full moral support. We have had prayer from all which ways. It's just a sad situation that happened. Most of you know at first none of us even thought that baby was going to make it. I can remember standing over her and crying and holding her little hand and just praying that she would just take a breath and look at me and say something. Well, the other day I told her, Uncle Nick at one time was standing over you holding your hand hoping you would say something. Now, when you talk to her she goes on and on. Well, after two and a half months in the hospital and one month in a coma Haylee is home. We do have a fundraiser and it appears that Haylee is going to make an appearance to thank everybody. So, I just wanted to share that with my colleagues. Thank you.”**

---

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

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

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

An Ordinance in Amendment of Chapter 2014-25, No. 315, Approved July 2, 2014, Establishing a Tax Exemption and Stabilization Plan for Prospect CharterCARE, LLC and its affiliates in the City of Providence.

**COUNCILMAN IGLIOZZI Refers the Ordinance Back to the Committee on Finance, Seconded by COUNCILWOMAN RYAN.**

**RESULT:** REFERRED BACK (WITH VOTE) [UNANIMOUS]  
**TO:** Committee on Finance  
**MOVER:** Councilman Igliazzi  
**SECONDER:** Councilwoman Ryan  
**AYES:** Council President Salvatore, Councilman Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliazzi, Jennings, Councilwomen LaFortune, Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Yurdin and Zurier – 14.  
**ABSENT:** Councilman Hassett – 1.

---

**COMMITTEE ON FINANCE**  
**COUNCILMAN JOHN J. IGLIOZZI, Chairman**  
**and**  
**COMMITTEE ON CLAIMS & PENDING SUITS**  
**COUNCILMAN NICHOLAS J. NARDUCCI, JR., Chairman**

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

**COUNCILMAN ZURIER**

An Ordinance in Amendment of Chapter 2, "Administration", Article VI, "City Solicitor," Section 99, "Authority delegated to City Solicitor to settle small claims against the city".

SECTION 1. Chapter 2, "Administration," Article VI, "City Solicitor," Section 99, "Authority delegated to City Solicitor to settle small claims against the city," is hereby amended as follows:  
Sec. 2-99. - Authority delegated to city solicitor to settle small claims against the city.

- (a) The city solicitor shall have the authority and power delegated to him and his office to settle claims against the city for damages and injuries due to, or occasioned by, the negligence of the city or any officer, agent, or employee of the city without the necessity of the approval of the mayor or the chairman of the committee on claims and pending suits in claims not to exceed three thousand dollars (\$3,000.00). At any time when the city solicitor shall exercise the authority and power delegated to him under this ordinance he shall report the disposition to the committee on claims and pending suits.

(b) For the settlement of claims, pending suits, arbitrations, mediations, consent decrees, consent judgments and/or any other legal matters of any kind that the city seeks to resolve by agreement, and whose resolution would have a fiscal impact of more than three thousand dollars (\$3,000.00), the city solicitor, or other attorney representing the City, shall not have the authority to settle the matter without approval of the committee on claims and pending suits and the Mayor. This approval requirement shall not apply to the matters listed below; but when a settlement of one of the matters listed below occurs, the settlement shall be reported, at least quarterly to the committee on claims and pending suits:

1. Matters involving collective bargaining agreements that are subject to Section 17-27;
2. Labor disputes, including grievances, arbitrations, and separation agreements, where the settlement amount does not exceed ten thousand dollars (\$10,000.00), and where the director of human resources, or, in the case of public safety employees, the commissioner of public safety, consents to the settlement;
3. Actions brought pursuant to the Rhode Island Workers' Compensation Act; and
4. Matters concerning appeals for relief from tax assessment where the tax assessor consents to the settlement.
- 5.

SECTION 2. This Ordinance shall take effect upon passage.

**Read and Passed the Second Time, on Motion of COUNCILMAN IGLIOZZI, Seconded by COUNCILWOMAN RYAN, by the following Roll Call Vote:**

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

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

## FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

Carlos Perdomo-Dotel (Christopher E. Fay, Esquire)	(Andrew O. Resmini, Esquire)
Melody Darnley p.p.a. Corday Darnley (Christopher E. Fay, Esquire)	Frank A. Tortelani
Edward Babbitt	Shijin Lu
Ron Boston	Dawar D. Dan-Harry
Brian Lamoureux	Magda Mendoza
Ian R. Hench	Janet Larkin
Benno Belhumeur	Nathan Rubien
Rockey Luben	Kenneth Guillermo
Raymond Davey (Christopher E. Fay, Esquire)	Progressive a/s/o Darlene Cowan
Amica Insurance a/s/o Allison B. Spadone	Jeff King
Yesenia Franco	Jonathan Cruz (Thomas A. Madden, Esquire)
Dawn Nero	Min Naing
Jose Sanchez	Bingjing Chen
	Donna A. Rajotte

**COUNCIL PRESIDENT SALVATORE 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

---

## COMMUNICATIONS AND REPORTS

Communication from Christian J. Delacruz, 97 Cottage Street, Pawtucket, Rhode Island 02860, dated June 20, 2018, submitting his resignation as a member of the Providence Juvenile Hearing Board.

---

Communication from Gina M. Costa, Internal Auditor and James J. Lombardi, III, Treasurer, dated June 29, 2018, submitting the Procurement Review of the City of Providence.

**COUNCILMAN IGLIOZZI Moves to Dispense with the Reading of the foregoing matters and Receives the Several Communications, Seconded by COUNCILWOMAN RYAN.**

**RESULT: RECEIVED**

---

**PRESENTATION OF RESOLUTIONS  
"IN CONGRATULATIONS"**

**COUNCIL PRESIDENT SALVATORE 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:

Mark Haroian, in recognition of the celebration of his retirement after 39 years of dedicated service to the Providence Water Supply Board.

Alams Campos, in recognition of the celebration of his Graduation from West End Community Center Pre-School on June 27, 2018.

Ethan Francis, in recognition of the celebration of his Graduation from West End Community Center Pre-School on June 27, 2018.

Skyler Ixcuna, in recognition of the celebration of his Graduation from West End Community Center Pre-School on June 27, 2018.

Jai'lon Jackson, in recognition of the celebration of his Graduation from West End Community Center Pre-School on June 27, 2018.

Esther Jean Claude, in recognition of the celebration of her Graduation from West End Community Center Pre-School on June 27, 2018.

Katiah Mohammed, in recognition of the celebration of her Graduation from West End Community Center Pre-School on June 27, 2018.

Mia Vasquez, in recognition of the celebration of her Graduation from West End Community Center Pre-School on June 27, 2018.

Firefighter John F. McGovern, Engine Company 9, Group A, in recognition of the celebration of his retirement after 26 years of dedicated service to the Providence Fire Department.

**Severally Read and Collectively Passed, on Motion of COUNCILMAN IGLIOZZI,  
Seconded by COUNCILWOMAN RYAN.**

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Igliazzi
<b>SECONDER:</b>	Councilwoman Ryan
<b>AYES:</b>	Council President Salvatore, Councilman Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliazzi, Jennings, Councilwomen LaFortune, Matos, Councilmen Narducci, Principe, Councilwoman Ryan and Councilman Zurier – 13.
<b>ABSENT:</b>	Councilmen Hassett and Yurdin – 2.

**The Motion for Passage is Sustained.**

---

**PRESENTATION OF RESOLUTIONS  
"IN MEMORIAM"**

**COUNCIL PRESIDENT SALVATORE 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:

James E. Cusick

Kevin B Murphy

Anthony N. Romeo

Jeremy A. Gravell

Susan J Lennon

David R. Negriz

Joseph Forte

Gertrude C. "Trudy" Connors

**Severally Read and Collectively Passed, by a Unanimous Rising Vote, on Motion of COUNCILMAN IGLIOZZI, Seconded by COUNCILWOMAN RYAN.**

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Igliazzi
<b>SECONDER:</b>	Councilwoman Ryan
<b>AYES:</b>	Council President Salvatore, Councilman Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliazzi, Jennings, Councilwomen LaFortune, Matos, Councilmen Narducci, Principe, Councilwoman Ryan and Councilman Zurier – 13.
<b>ABSENT:</b>	Councilmen Hassett and Yurdin – 2.

**The Motion for Passage is Sustained.**

---

**MATTERS NOT APPEARING  
ON THE PRINTED DOCKET**

**On Motion of COUNCILMAN IGLIOZZI, Seconded by COUNCILWOMAN RYAN, it is voted to Suspend Rule 16(b) of the Rules of the City Council in order to allow the introduction of the following Matters not Appearing on the Printed Docket.**

**PRESENTATION OF ORDINANCES**

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

An Ordinance making an Appropriation of Three Hundred Eighty Six Million Seven Hundred Seventy Two Thousand and Seven Hundred Four Dollars (\$386,772,704), for the support of the Providence School Department for the Fiscal Year Ending June 30, 2019, and Amending Ordinance Chapter 2018-34, No. 375, Approved July 2, 2018.

---

An Ordinance Amending a Compensation Plan for the Providence School Department and Amending Ordinance Chapter 2018-35, No. 376, Approved July 2, 2018.

---

An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Employees in Certain Classes in the Providence School Department and Amending Ordinance Chapter 2018-36, No. 377, Approved July 2, 2018.

**COUNCILMAN IGLIOZZI Moves to Dispense with the Reading of the foregoing matters, Seconded by COUNCILWOMAN RYAN.**

**COUNCIL PRESIDENT SALVATORE Refers the Several Ordinances to the Special Committee on School Department Oversight.**

<b>RESULT:</b>	<b>REFERRED</b>
<b>TO:</b>	Special Committee on School Department Oversight

---

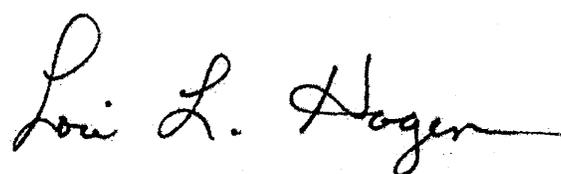
**COUNCILMAN IGLIOZZI Moves to Suspend the Providence City Council Rule 2(a), Entitled: Regular Meeting, Seconded by COUNCILWOMAN RYAN.**

**COUNCILMAN IGLIOZZI Moves to reschedule the next regularly scheduled meeting, July 19, 2018 at 7:00 o'clock P.M. to July 23, 2018 at 7:00 o'clock P.M., Seconded by COUNCILWOMAN RYAN.**

---

**CONVENTION**

There being no further business, on Motion of **COUNCILMAN IGLIOZZI**, Seconded by **COUNCILWOMAN RYAN**, it is voted to adjourn in memory of Donald Farish, President, Roger Williams University at 7:19 o'clock P.M., to meet again **UPON THE RISE OF THE 7:00 O'CLOCK P.M. REGULAR CITY COUNCIL MEETING.**



**LORI L. HAGEN  
CITY CLERK**