

THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 535

Approved December 5, 1958

**Whereas,** as the result of the adoption of Chapter 544 of the Ordinances of the City of Providence, together with the accompanying map, approved September 21, 1951, numerous non-conforming uses were created on Broadway; and

WHEREAS, since the adoption of said ordinance there have been further exceptions and variances and changes of zone along said Broadway resulting in further non-conformity to the present zones.

NOW, THEREFORE, BE IT RESOLVED that the City Plan Commission be and is hereby requested to make such survey, study (as it deems necessary) and report to the Committee on Ordinances as to the advisability of re-zoning Broadway so as to conform to its present character and use and to conform to the prospective development of said street.

IN CITY COUNCIL

DEC 4 - 1958

READ and PASSED

*Angelo A. DiStasio*  
President  
*Robert A. Chelton*  
Clerk

APPROVED

DEC 5 1958

*Matthew H. Reynolds*  
MAYOR

RESOLUTION  
OF THE  
CITY COUNCIL

*McDonough*

THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 536

Approved December 5, 1958

Whereas, our neighbors on the East who since March 1, 1862 have conducted their municipal affairs as the Town of East Providence, did on December 1, 1958 become the CITY OF EAST PROVIDENCE, the eighth city in the State of Rhode Island and Providence Plantations and,

NOW THEREFORE BE IT RESOLVED, that the Citizens of the Capitol City of Providence, Mayor Walter H. Reynolds and the members of this City Council tender to the Citizens of the progressive City of East Providence, to Mayor Daniel E. Marso and to the members of the City Council, their felicitations and neighborly good wishes on this auspicious occasion.

IN CITY COUNCIL

DEC 4 - 1958

READ and PASSED

*Charles J. Gilla*  
President  
*Devereaux Whelan*  
Clark

APPROVED

DEC 5 1958

*Walter H. Reynolds*  
MAYOR

RESOLUTION  
OF THE  
CITY COUNCIL

# RESOLUTION OF THE CITY COUNCIL

No. 537

Approved December 5, 1958

Resolved,

**That** His Honor the Mayor be and he hereby is authorized to accept the offer of the United States of America acting by and through the Housing and Home Finance Administrator, dated December 1, 1958 for Project No. R. I. 37-P-3010, Contract No. H-(102)-189 to advance not exceeding THIRTY-NINE THOUSAND (\$39,000) DOLLARS to aid in financing the cost of plan preparation consisting of final planning for additions, alterations and improvements to Water Purification Works of the Water Supply Board of the City of Providence which works are located in Scituate, Rhode Island.

Final planning is to be started within two calendar days after acceptance of offer of United States of America and completed and filed with the Housing and Home Finance Agency within eighty-four (84) calendar days thereafter.

The City, by the acceptance of this offer, covenants that it will repay the advance when required to do so under the provisions of Public Law 560, 83rd Congress, as amended, and comply with the terms and conditions of said offer, a copy of which is hereby attached and made part hereof.

IN CITY COUNCIL

DEC 4 - 1958

READ and PASSED

*Walter H. Reynolds*  
President  
*Walter H. Reynolds*  
Clerk

APPROVED

DEC 5 1958

*Walter H. Reynolds*  
MAYOR

RESOLUTION  
OF THE  
CITY COUNCIL

AUTHORIZING ACCEPTANCE OF  
OFFER OF UNITED STATES OF  
AMERICA FOR ADVANCE PLAN-  
NING MONEY FOR WATER PURI-  
FICATION WORKS, SCITUATE,  
RHODE ISLAND

*Mr. Wheeler  
Key request*

## TERMS AND CONDITIONS

1. No advance, or any portion thereof, shall be utilized by any Applicant to defray the cost of any part of the plan preparation which, prior to the date borne by the offer (the acceptance of which creates the Agreement for Public Works Plan Preparation) to which these Terms and Conditions relate, has been completed or has been included in any contract in which the Applicant has agreed to finance such plan preparation with any specific funds other than those to be supplied by the Government.
2. The plan preparation to be paid for with the advance shall be limited to the project for which the advance is made, and the applicant shall cause the plan preparation to be such as will permit of the construction of the work contemplated thereby at a cost which is within its ability to finance and which bears a reasonable relation to the estimate of cost therefor contained in its Application for an Advance for Public Works Planning.
3. In the event an Applicant utilizes its own employees to accomplish the plan preparation, only those costs incurred by the Applicant for the plan preparation, which would not have been incurred except for the undertaking of the plan preparation shall be paid from the Government's advance.
4. The Applicant shall keep accurate accounting records of all costs involved in connection with each advance. The accounts and records of the applicant, together with all supporting documents, must be open at all times to inspection by authorized representatives of the HHFA, and copies furnished when requested. The Applicant shall furnish a copy of any architectural or engineering or other contract entered into in connection with plan preparation immediately upon execution thereof.

The law specifically provides that the applicant shall establish a separate planning account into which all Federal and applicant's funds estimated to be required for plan preparation shall be placed.

Under this proviso the Applicant also shall deposit in that account its own funds to cover that portion of the cost of the plan preparation not covered by the Federal advance.

5. The advance may be requisitioned when plan preparation is completed and presented to the Government, together with evidence of the Applicant's approval thereof, including specifically the then estimated cost of constructing the public work contemplated by plan preparation, and any other approvals required by Federal State or local law. Upon receipt of such data, in satisfactory form, and if the Government is satisfied that the Applicant has complied with all its obligations under the said Agreement the full advance but not exceeding the actual plan preparation cost will be paid.

Interim payments may be made when complete plans are to be prepared, if the Regional Administrator finds such interim payments are justified to insure prompt completion of plans.

6. The Government may elect to terminate all or any of its obligations under the said Agreement:

- (a) If any representation of the Applicant, in its application or in any supplement thereto or amendment thereof, or in any documents submitted to the Government by the Applicant in connection with such application, shall be incorrect or incomplete in any material respect;
- (b) If the Applicant shall fail to commence promptly or complete the plan preparation within the time provided therefor in the Agreement or within the limits of any extension of time as may be approved by the Government, or if the Applicant shall fail otherwise in the performance or fulfillment of any of its obligations to be performed or fulfilled under the Agreement;
- (c) If the Applicant shall fail to submit or cause to be submitted to the Government any reports, data, plans, drawings, specifications, contracts, estimates, approvals, or other documents pertaining to the plan preparation contemplated by the Agreement, that may be requested by the Government;
- (d) If any official of <sup>the</sup> Applicant shall become directly or indirectly interested personally in any contract

or subcontract in connection with the aforesaid plan preparation.

7. In the event the Applicant has employed or shall employ any person, firm, or corporation, excepting bona fide employees and persons, firms, or corporations employed under a bona fide contract to render professional or technical services only, to solicit or secure the advance covered by the Agreement to which these Terms and Conditions relate, or any other contract right under such Agreement, upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, the Government shall have the right to annul said Agreement without liability or in its discretion to deduct from the advance otherwise payable under the Agreement the full amount of such commission, percentage, brokerage, or contingent fee.
8. The advance shall be repaid promptly upon the start of construction of the public work of the type set forth in the planning report. Construction shall be considered as undertaken or started when the first construction contract is awarded or the applicant begins construction with its own forces. If construction of only a portion of the planned work is undertaken, repayment is required of such proportionate amount of the advance related to the work as the Administrator determines to be equitable.
9. In the event the Applicant should, for any reason, fail to repay promptly the advance in full in accordance with its obligation under this Agreement, whether such obligation shall arise by operation of law or under the said Agreement, such unpaid sum shall bear interest at the rate of four (4%) per centum per annum from the date of the Government's demand to the Applicant for the repayment to the date of payment thereof by the Applicant.
10. The Government shall not be obligated or liable under the Agreement to any party other than the applicant.
11. No member of or delegate to the Congress of the United States of America shall be admitted to any share or part of the Government's advance or in any benefit arising therefrom.
12. The Applicant may terminate the Agreement at any time prior to the Government's payment of any portion of the advance by written notice to the Government of such termination. In such event, the Government will be relieved of all its obligations under the Agreement. If the Applicant terminates the Agreement after receiving any portion of the advance, it shall promptly refund to the Government the portion of the advance that has been paid by the Government.



THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 538

Approved December 5, 1958

Resolved,

That

the City Solicitor be and he hereby is authorized and directed to apply to the 1959 Session of the General Assembly for passage of an Act authorizing the City of Providence to issue bonds in the sum of ONE MILLION ONE HUNDRED THOUSAND (\$1,100,000) DOLLARS, for water purification works improvements, substantially in accordance with the accompanying draft act.

IN CITY COUNCIL

DEC 4 - 1958

READ and PASSED

*Charles H. Smith*  
President  
*Deverett Whelan*  
Clerk

APPROVED

DEC 5 1958

*Walter H. Reynolds*  
MAYOR

RESOLUTION  
OF THE  
CITY COUNCIL

DIRECTING THE CITY SOLICITOR  
TO APPLY TO THE GENERAL AS-  
SEMBLY FOR PASSAGE OF AN ACT  
AUTHORIZING A \$1,100,000  
BOND ISSUE FOR WATER PURIFICA-  
TION WORKS IMPROVEMENTS.

IN CITY  
COUNCIL

NOV 20 1958

PAID NEWJING  
REFERRED TO COMMITTEE ON  
FINANCE  
The Mayor of the City of Providence  
CITY

Mr. Butler  
(by request)

NOV 14 2 14 PM '58  
CITY CLERK'S OFFICE  
PROVIDENCE R I

STATE OF RHODE ISLAND, CO.

IN GENERAL ASSEMBLY

January Session, A. D. 19 90.

AN ACT

AUTHORIZING THE CITY OF PROVIDENCE TO ISSUE BONDS IN THE SUM OF \$1,160,000 FOR WATER PURIFICATION WORKS IMPROVEMENTS.

As amended by the General Assembly as follows:

SECTION 1. The city of Providence is hereby authorized and empowered, in addition to and not in substitution for authority previously granted, to issue, in addition to the bonds heretofore issued and now outstanding, under its corporate name and seal, serial bonds in any form which the city council of said city has heretofore approved or may approve, in an amount not exceeding ONE MILLION ONE HUNDRED THIRTYTHOUSAND (\$1,160,000) DOLLARS. Said bonds shall be of any denomination not exceeding twenty thousand (\$20,000) dollars each, the principal thereof and the interest thereon shall be payable in any coin or currency of the United States of America, which at the time of payment is legal tender for public and private debts, and the debts incurred by said bonds shall be obligatory on said city in the same manner and to the same extent as other debts lawfully contracted by said city. The date of maturity of said bonds shall, in no case, be more than twenty-five (25) years after date of issuance provided, however, that the first installment of the principal of the bonds issued under the provisions of this act shall mature on cash date as said city council shall determine, but not later than five (5) years after the date of issuance.

SECTION 2. Said bonds shall be signed by the city treasurer, and

countersigned by the mayor of the city of Providence and shall be issued and sold at such place and in such amount as the city council of said city shall determine; provided, however, that the premiums, if any, arising from the sale of said bonds shall be applied to the payment of the principal of said bonds in the order of their maturity. The proceeds arising from the sale of the bonds authorized by this act shall be delivered to the city treasurer, and such proceeds, except as hereinafter provided in respect to the premiums arising from the sale thereof, shall be expended for water purification works improvements. No purchaser of any of said bonds, however, shall be in any way responsible for the proper application of the proceeds derived from the sale thereof. The countersignature of the mayor may be by facsimile signature.

SECTION 3. The city of Providence shall annually appropriate a sum sufficient to pay the interest upon the bonds issued and outstanding under the authority of this act, and also to pay the principal of the bonds maturing in any cash year, until said bonds are paid in full. All obligations of said city which are incurred under authority of this act shall be exempted from the operation of section 43-12-2 of the General Laws of 1923.

SECTION 4. The voters of the city of Providence, having authorized the issuance of bonds in the said act of ONE MILLION ONE HUNDRED FIFTYTHREE (\$1,153,000) DOLLARS for water purification works improvements at the general election held November 6, 1929, any further requirement for approval of this act by the voters, whether by charter or by special law, is hereby waived, and the bonds authorized by this act shall thereafter be exempted from the provisions of Section 139 of Chapter 632 of the Public Laws, 1929, as amended by Chapter 1815, Public Laws of 1929, and from any other requirement for approval by the voters.

SECTION 5. This act shall take effect upon its passage.

THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 569

Approved December 5, 1958

Resolved,

That the City Solicitor be and he hereby

is authorized and directed to apply to the 1959 Session of the General Assembly for passage of an Act authorizing the City of Providence to issue bonds in the sum of ONE MILLION (\$1,000,000) DOLLARS, for the construction, furnishing and equipping of a public works - highway, office building and garage, substantially in accordance with the accompanying draft act.

IN CITY COUNCIL

DEC 4 - 1958

READ and PASSED

*Angel G. Chills*  
President  
*Robert J. Whelan*  
Clerk

APPROVED

DEC 5 1958

*Walter H. Reynolds*  
MAYOR

RESOLUTION  
OF THE  
CITY COUNCIL

AUTHORIZING a \$1,000,000  
BOND ISSUE FOR PUBLIC WORKS  
HIGHWAY, OFFICE BUILDING  
AND GARAGE.

IN CITY  
COUNCIL

NOV 20 1958

First Meeting  
REFERRED TO COMMITTEE ON  
FINANCE  
Theodore C. Wilson, Clerk

Mr. Wilson  
by request

Nov 14 2 36 PM '58

CITY CLERK'S OFFICE  
PROVIDENCE, R.I.

63 11 13

STATE OF RHODE ISLAND, &C.

IN GENERAL ASSEMBLY

JANUARY SESSION, A. D. 19 59

AN ACT

AUTHORIZING THE CITY OF PROVIDENCE TO ISSUE BONDS IN THE SUM OF  
\$1,000,000 FOR A PUBLIC WORKS - HIGHWAY, OFFICE BUILDING AND GARAGE.

It is enacted by the General Assembly as follows:

SECTION 1. The city of Providence is hereby authorized and empowered, in addition to and not in substitution for authority previously granted, to issue, in addition to the bonds heretofore issued and now outstanding, under its corporate name and seal, serial bonds in any form which the city council of said city has heretofore approved or may approve, in an amount not exceeding ONE MILLION (\$1,000,000) DOLLARS. Said bonds shall be of any denomination not exceeding twenty thousand (\$20,000) dollars each, the principal thereof and the interest thereon shall be payable in any coin or currency of the United States of America, which at the time of payment is legal tender for public and private debts, and the debts incurred by said bonds shall be obligatory on said city in the same manner and to the same extent as other debts lawfully contracted by said city. The dates of maturity of said bonds shall, in no case, be more than twenty-five (25) years after date of issue; provided, however, that the first installment of the principal of the bonds issued under the provisions of this act shall mature on such date as said city council shall determine, but not later than five (5) years after the date of issuance.

SECTION 2. Said bonds shall be signed by the city treasurer, and countersigned by the mayor of the city of Providence and shall be issued

and sold at such times and in such amount as the city council of said city shall determine; provided, however, that the premiums, if any, arising from the sale of said bonds shall be applied to the payment of the principal of said bonds in the order of their maturity. The proceeds arising from the sale of the bonds authorized by this act shall be delivered to the city treasurer, and such proceeds, except as hereinbefore provided in respect to the premiums arising from the sale thereof, shall be expended for the construction, furnishing and equipping of a public works - highway, office building and garage. No purchaser of any of said bonds, however, shall be in any way responsible for the proper application of the proceeds derived from the sale thereof. The countersignature of the Mayor may be by facsimile signature.

SECTION 3. The city of Providence shall annually appropriate a sum sufficient to pay the interest upon the bonds issued and outstanding under the authority of this act, and also to pay the principal of the bonds maturing in any such year, until said bonds are paid in full. All obligations of said city which are incurred under authority of this act shall be excepted from the operation of section 45-12-2 of the General Laws of 1956.

SECTION 4. The voters of the city of Providence, having authorized the issuance of bonds in the said sum of ONE MILLION (\$1,000,000) DOLLARS for the construction of a public works - highway, office building and garage at the general election held November 4, 1958, any further requirement for approval of this Act by the voters, whether by charter or by special law, is hereby waived, and the bonds authorized by this Act shall therefor be exempted from the provisions of Section 135 of Chapter 832 of the Public Laws, 1940, as amended by Chapter 1266, Public Laws of 1943, and from any other requirement for approval by the voters.

SECTION 5. This Act shall take effect upon its passage.