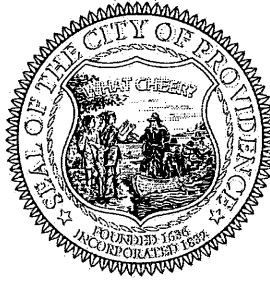


# **CITY OF PROVIDENCE RHODE ISLAND**



## **CITY COUNCIL**

# **JOURNAL OF PROCEEDINGS**

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**No. 26 City Council Regular Council Meeting, Thursday, July 17, 2014, 7:00 o'clock P.M.**

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## **PRESIDING**

**COUNCIL PRESIDENT  
MICHAEL A. SOLOMON**

## **CALL TO ORDER**

**PRESENT: COUNCIL PRESIDENT SOLOMON, COUNCILWOMAN CASTILLO,  
COUNCILMAN HASSETT, COUNCILMAN IGLIOZZI, COUNCILMAN JACKSON,  
COUNCILMAN JENNINGS, COUNCILWOMAN MATOS,  
COUNCILMAN PRINCIPE, COUNCILMAN SALVATORE,  
COUNCILMAN SANCHEZ, COUNCILMAN YURDIN, COUNCILMAN ZURIER –  
12.**

**ABSENT: COUNCILMAN APONTE, COUNCILMAN CORREIA,  
COUNCILMAN NARDUCCI – 3.**

**ALSO PRESENT: LORI L. HAGEN, SECOND DEPUTY CITY CLERK, SHERI A.  
PETRONIO, ASSISTANT CLERK AND AMY CRANE, ASSISTANT CITY  
SOLICITOR**

**IN CITY COUNCIL**

**SEP 18 2014**

**APPROVED:**

*Lori L. Hagen* **CLERK**  
**ACTING**

## INVOCATION

The Invocation is given by **COUNCILMAN DAVID SALVATORE**.

**"Dear Lord, as this honorable body moves forward and continues to deliberate issues facing our city, we ask for your guidance and wisdom. While we are asked to make difficult decisions, help us remain dedicated to those who are less fortunate and families in need. Your inspiration to lead our community will remain with us as our neighborhoods depend on us to be their voices. Amen."**

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## PLEDGE OF ALLEGIANCE

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

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## APPOINTMENTS BY HIS HONOR THE MAYOR

Communication from His Honor the Mayor, dated June 26, 2014, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended, Section 502.1 of the Code of Ordinances of the City of Providence, and Public Law Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day re-appointing Richard Baccari II of 10 Greene Street, Providence, Rhode Island 02903, as a member of the Downcity Design Review Committee for a term to end January 31, 2017.

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Communication from His Honor the Mayor, dated June 26, 2014, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended, Section 502.1 of the Code of Ordinances of the City of Providence, and Public Law Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day re-appointing Architect Kristi Gelnett of Durkee, Brown, Viveiros & Werenfels Architects, 111 Chestnut Street, Providence, Rhode Island, as a member of the Downcity Design Review Committee for a term to end January 31, 2017.

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Communication from His Honor the Mayor, dated June 26, 2014, 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 re-appointing Ms. Lynne McCormack of 94 Albert Avenue, Cranston, Rhode Island, to the Greater Providence-Warwick Convention and Visitors Bureau, for a term to expire on June 30, 2017.

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Communication from His Honor the Mayor, date June 26, 2014, Informing the Honorable Members of the City Council that pursuant to the Articles of Incorporation of the Providence Plan, he is this day appointing Mr. Gonzalo Cuervo, Chief of Staff to the Mayor of Providence, to the Providence Plan for a term to expire on June 30, 2019. (Mr. Cuervo will replace Toby Shepard whose term has expired)

**COUNCILMAN YURDIN Moves to Dispense with the Reading of the foregoing matters, Seconded by COUNCILMAN JENNINGS.**

**COUNCIL PRESIDENT SOLOMON Receives the several Communications.**

<b>RESULT:</b>	<b>RECEIVED</b>
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## **ORDINANCE SECOND READING**

An Ordinance In Amendment of Chapter 27 of the Ordinances of the City of Providence Entitled "The City of Providence Zoning Ordinance" Approved June 27, 1994, as amended, to change use regulations of the W-3 and M-2 zones and to change Appendix A, to protect Industrial and Working Waterfront Uses.

SECTION 1: Chapter 27 of the Ordinances of the City of Providence, Entitled "The City of Providence Zoning Ordinance" approved June 27, 1994, as amended, is hereby further amended by changing the following text in Article III and Appendix A (the text to be removed is crossed out; the new text is underlined):

A. The use table in Section 303 is amended as follows:

## 1.0 RESIDENTIAL

Use Code	Use	W-3	M-2
14.1	Residential Mixed Use	N	N
14.2	Live-Work Space–Low Intensity <sup>7</sup>	N	N
14.3	Live-Work Space–High Intensity <sup>7</sup>	N	N

## 2.0 INSTITUTIONAL AND GOVERNMENTAL SERVICES

Use Code	Use	W-3	M-2
26	Day Care – Family Day Care Home	N	N
26.1	Day Care – Day Care Center, up to 8 people receiving day care	N	N
26.2	Day Care–Day Care Center, 9 to 12 people receiving day care	N	N
26.3	Day Care – Day Care Center, more than 12 people receiving day care	N	N
28	Cemetery	N	N

### 3.0 CULTURAL, ENTERTAINMENT AND RECREATION SERVICES

Use Code	Use	W-3	M-2
31	Non-Profit Library, Museum and Art Gallery	N	N
32	Spectator Assembly	N	N
32.2	Mini Cinema	N	N
33	Outdoor Recreation Facility	N	N
33.1	Golf Course, Tennis Court, Country Club	N	N
33.2	Marina, Recreational Craft only	N	N
33.3	Transient Amusement	N	N
33.4	Outdoor Amusement	N	N
34	Indoor Sports Facility	N	N

### 4.0 GENERAL SERVICES

Use Code	Use	W-3	M-2
43	Limited Business Service	Y <sup>2</sup> ,	Y

#### FOOTNOTES:

- Such uses shall be permitted when supporting art related uses of Live-Work Space and Arts and Crafts Manufacturing in designated historic buildings. If this criteria is met, Footnote 2 does not apply. [Ord. 2006-21]

## 5.0 TRADE

Use Code	Use	W-3	M-2
56.2	Drinking Establishment - Bar or Tavern	N	N
57.1	Eating and/or Drinking Establishments excluding Entertainment, more than 2,500 sq. ft. GFA <sup>4</sup>	N	N

## 6.0 TRANSPORTATION, COMMUNICATION AND UTILITIES

Use Code	Use	W-3	M-2
65.2	Broadcasting Studio - Radio and Television	N	N

## 7.0 – 8.0 MANUFACTURING

Use Code	Use	W-3	M-2
70	Food and Kindred Products Manufacturing Including Canning and/or Packaging	Y <sup>2</sup>	Y
72	Lumber and Wood Products	Y <sup>2</sup>	Y
80	Machinery/Machine Parts Manufacturing	Y <sup>2</sup>	Y
81	Transportation Equipment Manufacturing	Y <sup>2</sup>	Y
82	Ship and Boat Building and Repairing	Y <sup>2</sup>	Y

Use Code	Use	W-3	M-2
83	Precision Instrument and Scientific Equipment Manufacturing	Y <sup>2</sup>	Y
85	Arts and Crafts Manufacturing	Y <sup>5</sup>	N

**FOOTNOTES:**

2. Provided that such uses are part of a marine enterprise or are dependent on access to the Port of Providence.
4. Arts and crafts manufacturing may be combined with Live-Work Spaces. See Use Code 14.2 and 14.3.
5. These uses shall only be permitted in a designated historic building.

B. Appendix A is amended as follows:

**53 Bulk Storage of Petroleum Products More than 10,000 Gallons**

Storage of heating oil, diesel oil, kerosene, gasoline and similar products, and including storage of products derived from petroleum, including flooring material, paving, and roofing materials.

SECTION 2. This Ordinance shall take effect upon passage and publication as prescribed by law.

**Read and Passed the Second, on Motion of COUNCILMAN YURDIN, Seconded by COUNCILMAN JENNINGS, by the following Roll Call Vote:**

<b>RESULT:</b>	<b>READ/PASSED SECOND TIME [11 TO 1]</b>
<b>MOVER:</b>	Seth Yurdin, Councilman
<b>SECONDER:</b>	Wilbur W. Jennings, Councilman
<b>AYES:</b>	Solomon, Castillo, Hassett, Igliazzi, Jackson, Jennings, Principe, Salvatore, Sanchez, Yurdin, Zurier – 11.
<b>NAYS:</b>	Matos – 1.
<b>ABSENT:</b>	Aponte, Correia, Narducci – 3.

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

## **PRESENTATION OF ORDINANCES**

**COUNCILMAN IGLIOZZI, COUNCILMAN APONTE, COUNCILMAN HASSETT, COUNCILMAN JACKSON, COUNCILMAN NARDUCCI, COUNCILMAN PRINCIPE, COUNCILMAN SANCHEZ**

An Ordinance Establishing a Wage Requirement in Tax Stabilization Agreements

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## **PRESENTATION OF RESOLUTIONS**

### **COUNCIL PRESIDENT SOLOMON, (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.

C.N. Wood Company (Public Works)	\$8,000.00
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### **COUNCIL PRESIDENT SOLOMON, (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.

Tasca Automotive (Public Works)	\$8,000.00
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### **COUNCIL PRESIDENT SOLOMON, (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 (Public Works)	\$25,000.00
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**COUNCIL PRESIDENT SOLOMON, (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.

Ocean State Signal \$20,000.00  
(Public Works)

**COUNCILMAN YURDIN Moves to Dispense with the Reading of the foregoing matters, Seconded by COUNCILMAN JENNINGS.**

**COUNCIL PRESIDENT SOLOMON Refers the Ordinance and Several Resolutions to the Special Committee on Ways and Means.**

<b>RESULT:</b>	<b>REFERRED</b>
<b>TO:</b>	Special Committee on Ways and Means

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

Resolution Authorizing the City of Providence to sell the property located at 220 Blackstone Street (Assessor's Plat 45, Lot 85), 220 Blackstone Street Rear (Assessor's Plat 45, Lot 797), and 23 Staniford Street (Assessor's Plat 45, Lot 833) to the Providence Redevelopment Agency for one dollar (\$1.00), and other good and valuable consideration.

**Read and Passed, on Motion of COUNCILMAN YURDIN, Seconded by COUNCILMAN JENNINGS.**

**COUNCILMAN YURDIN Moves to Withdraw his motion for Passage of the foregoing resolution and COUNCILMAN JENNINGS Withdraws his second of the motion.**

**COUNCIL PRESIDENT SOLOMON Refers the Resolution to the Special Committee on Ways and Means.**

<b>RESULT:</b>	<b>REFERRED</b>
<b>TO:</b>	Special Committee on Ways and Means

**COUNCILMAN JENNINGS, COUNCILMAN APONTE, COUNCILMAN SANCHEZ**

Resolution Requesting the Providence Police Department and the Rhode Island State Police to deploy officers to every polling place in the City of Providence on election day for the purpose of public safety and to maintain law and order.

**WHEREAS**, On September 9, 2014, the City of Providence will hold a primary election; and

**WHEREAS**, There are approximately 104,000 registered voters in the City of Providence who are presently eligible to participate in the primary on September 9, 2014; and

**WHEREAS**, 80 polling places will be open for the September 9, 2014 primary in the City of Providence; and

**WHEREAS**, During previous elections, many polling places in the City of Providence have experienced high voter volume, which resulted in long wait times and public safety concerns.

**NOW, THEREFORE, BE IT RESOLVED**, That the City Council hereby requests the Providence Police Department and the Rhode Island State Police to deploy officers to every polling place as determined necessary in the City of Providence on election day for the purpose of public safety and to maintain law and order.

**COUNCILMAN YURDIN Moves to Amend the Resolution's last paragraph by adding "as determined necessary", Seconded by COUNCILMAN JENNINGS.**

**COUNCILMAN YURDIN Moves Passage of the Resolution, As Amended, Seconded by COUNCILMAN JENNINGS.**

<b>RESULT:</b>	<b>READ AND PASSED, AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Seth Yurdin, Councilman
<b>SECONDER:</b>	Wilbur W. Jennings, Councilman
<b>AYES:</b>	Solomon, Castillo, Hassett, Igliozi, Jackson, Jennings, Matos, Principe, Salvatore, Sanchez, Yurdin, Zurier – 12.
<b>ABSENT:</b>	Aponte, Correia, Narducci – 3.

**The Motion for Passage is Sustained.**

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**COUNCILMAN YURDIN, COUNCIL PRESIDENT SOLOMON, COUNCILWOMAN CASTILLO, COUNCILMAN IGLIOZZI, COUNCILMAN JACKSON, COUNCILMAN PRINCIPE, COUNCILMAN SALVATORE, COUNCILMAN SANCHEZ**

Resolution In Support of the EPA and the Army Corps of Engineers' Proposed Definition of "Waters of the United States" under the Clean Water Act.

**WHEREAS**, The Waters of the United States provide an extraordinary value for the protection of public health, recreational resources, economic livelihood related to clean water, and are a treasured resource; and

**WHEREAS**, The Clean Water Act is the fundamental federal law protecting the Waters of the United States from pollution, degradation and destruction; and

**WHEREAS**, Critical streams and wetlands, which supply drinking water, protect against floods, and filter pollution, were previously protected under the Clean Water Act, but federal policy changes over the last decade have left these streams and wetlands vulnerable to degradation or destruction; and

**WHEREAS**, These vulnerable Waters of the United States impact sources of drinking water for over 117 million Americans; and

**WHEREAS**, According to Clean Water Action, 169 miles of headwaters, intermittent and ephemeral streams feed into Rhode Island's drinking water sources which provides a drinking water supply to 54% of the Rhode Island's population; and

**WHEREAS**, Strong federal standards are needed because water does not respect political boundaries and flows from one state to another; and

**WHEREAS**, More than 1,000 peer reviewed scientific studies have confirmed that headwater intermittent and ephemeral streams and wetlands affect the quantity and quality of water in larger bodies of water downstream, according to Clean Water Action; and

**WHEREAS**, The U.S. Environmental Protection Agency and Army Corps of Engineers have proposed a clarifying rulemaking to restore protection for streams and wetlands previously protected under the Clean Water Act, safeguarding water quality in the nation's waters, protecting jobs in businesses that depend on clean water and safeguarding drinking water for one in three Americans; and

**WHEREAS**, The proposal leaves in place all agricultural exemptions and creates new exemptions for agricultural practices related to conservation.

**NOW, THEREFORE BE IT RESOLVED**, That the City Council of the City of Providence supports the proposed *Definition of "Waters of the U.S." Under the Clean Water Act* and urges the Environmental Protection Agency and Army Corps of Engineers to finalize these important protections for our nation's water resources.

**Read and Passed, On Motion of COUNCILMAN YURDIN, Seconded by COUNCILMAN JENNINGS.**

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Seth Yurdin, Councilman
<b>SECONDER:</b>	Wilbur W. Jennings, Councilman
<b>AYES:</b>	Solomon, Castillo, Hassett, Igliazzi, Jackson, Jennings, Matos, Principe, Salvatore, Sanchez, Yurdin, Zurier – 12.
<b>ABSENT:</b>	Aponte, Correia, Narducci – 3.

**The Motion for Passage is Sustained.**

## REPORT(S) FROM COMMITTEE(S)

### COMMITTEE ON PUBLIC WORKS COUNCILMAN TERRENCE M. HASSETT, Chairman

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

#### COUNCILMAN SANCHEZ

Resolution Requesting the Traffic Engineer to cause Cromwell Street to become a "One-Way" Street in an easterly direction from Dexter Street to Elmwood Avenue.

**RESOLVED**, That the Traffic Engineer is requested to cause Cromwell Street to become a "One-Way" Street in an easterly direction from Dexter Street to Elmwood Avenue.

**Read and Passed, On Motion of COUNCILMAN YURDIN, Seconded by COUNCILMAN JENNINGS.**

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Seth Yurdin, Councilman
<b>SECONDER:</b>	Wilbur W. Jennings, Councilman
<b>AYES:</b>	Solomon, Castillo, Hassett, Igliozi, Jackson, Jennings, Matos, Principe, Salvatore, Sanchez, Yurdin, Zurier – 12.
<b>ABSENT:</b>	Aponte, Correia, Narducci – 3.

**The Motion for Passage is Sustained.**

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**COMMITTEE ON CITY PROPERTY**  
**COUNCILMAN WILBUR W. JENNINGS, Jr., Chairman**

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

Resolution authorizing the Mayor to execute a Purchase and Sales Agreement with Rhode Island College, for the property located at Assessor's Plat 127, Portions of Lots 2 and 4.

**WHEREAS**, On September 19, 2013 Rhode Island College, ("Petitioner"), sought to purchase a parcel of City property which consists of approximately 8.5 acres on Assessor's Plat 127, Portions of Lots 2 and 4; and

**WHEREAS**, Petitioner and the City had entered into a twenty (20) year lease for \$1.00 per year in 2002 for said parcel; and

**WHEREAS**, The parcel is landlocked, having no access other than from land currently owned by Petitioner and is zoned as Open Space under the Providence Zoning Ordinance; and

**WHEREAS**; Petitioner desires to now own the land in order to accommodate certain athletic fields, which would be made available for use by City of Providence residents; and

**WHEREAS**, An appraisal of the parcel was completed pursuant to Sec. 416 of the Home Rule Charter of 1980, establishing a value of Two Hundred Fifty Thousand Dollars (\$250,000.00); and

**WHEREAS**, The matter was considered and approved by the City Council Committee on City Property at its meeting of July 9, 2014, conditioned upon the City complying with Sec. 416 of the Home Rule Charter of 1980, relative to advertisement for bids.

**NOW, THEREFORE, BE IT RESOLVED**, That the City Council approves the sale of the parcel of real property aforesaid for the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00), conditioned upon compliance with Sec. 416 of the Home Rule Charter of 1980, relative to advertisement for bids; and

**BE IT FURTHER RESOLVED**, That the City Council authorizes the Mayor to execute a Purchase and Sale Agreement, as well as all other instruments necessary to carry out the aforesaid transaction, all subject to approval by the City Solicitor as to form and correctness.

**COUNCILMAN YURDIN Moves to Amend the Resolution to delete "Assessor's Plat 129, Lot 1 and insert "Assessor's Plat 127, Portions of Lots 2 and 4", Seconded by COUNCILMAN JENNINGS.**

**COUNCILMAN YURDIN Moves Passage of the Resolution, As Amended, Seconded by COUNCILMAN JENNINGS.**

<b>RESULT:</b>	<b>PASSED AS AMENDED [11 TO 0]</b>
<b>MOVER:</b>	Seth Yurdin, Councilman
<b>SECONDER:</b>	Wilbur W. Jennings, Councilman
<b>AYES:</b>	Solomon, Castillo, Hassett, Igliozi, Jennings, Matos, Principe, Salvatore, Sanchez, Yurdin, Zurier – 11.
<b>ABSENT:</b>	Aponte, Correia, Narducci – 3.
<b>RECUSED:</b>	Jackson – 1.

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**COMMITTEE ON URBAN REDEVELOPMENT,  
RENEWAL AND PLANNING  
COUNCILMAN NICHOLAS J. NARDUCCI, JR., Chairman**

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

**COUNCILMAN NARDUCCI, COUNCILMAN PRINCIPE**

Resolution Regarding the Providence Redevelopment Agency amending various leases.

**I. RECITALS CONCERNING THE HISTORY OF THE SO-CALLED MISCELLANEOUS  
PARCELS BOND PROJECT**

**WHEREAS**, The City of Providence (the “City”) has previously established Redevelopment Area Nos. 1, 3, and 4 by Section 20-2 of the Providence Code of Ordinances and reaffirmed by Resolution 143, approved March 25, 2008;

**WHEREAS**, Each of the said Redevelopment Areas have been found by the City Council to be blighted and substandard and in need of redevelopment for the elimination and prevention of blight and substandard conditions and their revitalization through redevelopment by well-planned, sound, integrated, stable, safe and healthful neighborhoods;

**WHEREAS**, The American Tourister Parcel is located in Redevelopment Area No. 1 as well as the Wanskuck Redevelopment Project Area (which has been found to be an arrested blighted area as defined in R.I. General Laws § 45-31-8(2)) and its acquisition by Providence Redevelopment Agency (the “Agency”) was in accordance with the Wanskuck Redevelopment Plan adopted by Chapter 2000-6 of the Providence Code of Ordinances;

**WHEREAS**, Parcel 12 is located in Redevelopment Area No. 3 and its acquisition by the Agency was consistent with the Downtown Providence Renewal Plan Redevelopment Plan adopted by Chapter 1977-5 of the Providence Code of Ordinances;

**WHEREAS**, the Port Parcels are located in Redevelopment Area No. 4 and their acquisition by the Agency was in accordance with the Port Project Redevelopment Plan adopted by Chapter 1984-23 of the Providence Code of Ordinances;

**WHEREAS**, Pursuant to Resolution 214, approved June 30, 2010 (the "**Resolution**"), the Agency was authorized to and has purchased the American Tourister Parcel, Parcel 12 and the Port Parcels (collectively, the "**Parcels**") from the City for certain predevelopment work prior to selling them to one or more developers or other qualified persons or entities;

**WHEREAS**, The Resolution authorized the Agency to finance its purchase through a lease back to the City;

**WHEREAS**, The Agency issued its Taxable Lease Revenue Bonds Series 1 (the "Bonds") in the principal amount of \$12,600,000;

**WHEREAS**, RBS Citizens, N.A., purchased the Bonds;

**WHEREAS**, The Agency and the City did enter into that certain Lease and Agreement dated August 27, 2010 and recorded in the City of Providence Land Evidence Records at Book 9803, Page 239 (the "**Lease**") wherein the Agency, as Lessor, did lease the Parcels to the City, as Lessee;

**WHEREAS**, The Agency granted that certain Mortgage, Security Agreement and Collateral Assignment of Leases and Rents as security for payment of the Bonds, which is recorded in the City of Providence Land Evidence Records at Book 9803, Page 209; and

**WHEREAS**, The City desires to amend the Lease in order to clarify certain provisions contained therein that are inconsistent with the objectives of the Resolution and project contemplated therein by modifying provisions relating to (i) subleasing the Parcels back to the Agency, (ii) allowing for the substitution of other real estate of equal or greater value for some of the Parcels, or providing for their withdrawal from the Lease by the Agency, and (iii) waiving and terminating the City's option to purchase the Parcels;

## II. RECITALS CONCERNING SUBLEASING OF THE PARCELS BACK TO THE AGENCY

**WHEREAS**, The City Council hereby acknowledges, agrees and confirms that it previously authorized the Mayor to sublease the Port Parcels to the Agency for a rental of \$1 per year and to take any and all action and to execute, file and deliver such sublease and any and all agreements, notes and other documents in such form as he may deem necessary or desirable to implement the Agency's financing of the projects as authorized by the Resolution;

**WHEREAS**, The City desires to confirm the purpose of the Resolution by affirming the City's intention and authorization to sublease not only the Port Parcels, but also, all of the Parcels back to the Agency;

**WHEREAS**, The City further wishes to confirm the purpose of the Resolution by affirming the Agency's authorization to sub-sublease the American Tourister and Parcel 12 Parcels to persons or entities that the Agency deems to be appropriate; and

**WHEREAS**, The City desires to amend the terms of the Lease to evidence the City's intention to (a) sub-lease not only the ProvPort Parcels, but also, all of the Parcels back to the Agency; and (b) permit the Agency to sub-sublease the American Tourister and Parcel 12 Parcels;

## III. RECITALS CONCERNING THE SUBSTITUTION OF LAND OR WITHDRAWAL OF LAND FROM THE LEASE

**WHEREAS**, The Lease did not provide the Agency with a means of substituting real estate of equal or greater value in event any of the Parcels are sold;

**WHEREAS**, The Lease also did not provide the Agency with a means of withdrawing some or all of the Parcels from the Lease in the event that all outstanding amounts owed under the Bonds or Notes (as defined in the Lease) for such Parcel(s) are paid;

**WHEREAS**, The objective of having the Agency sell the Parcels to one or more developers or other qualified persons or entities, as stated in the Resolution, is inconsistent with and impeded by the inability of the Agency to either (a) substitute real estate of equal or greater value for Parcels that are sold, or (b) withdraw said Parcel(s) from the Lease provided the outstanding amount owed under the Bonds or Notes are paid; and

**WHEREAS**, The City desires to amend the terms of the Lease to evidence the City's intention to: (a) permit the City and the Agency to substitute other pieces of real property as "Leased Land" if necessary, in the event any of the Parcels are sold; and (b) clarify the Agency's ability to withdraw some or all of the Parcels from the Lease and convey the same to one or more developers or other qualified persons or entities;

#### IV. RECITALS CONCERNING THE CITY'S PURCHASE OPTION

**WHEREAS**, Reference is hereby made to the third recital of the Resolution which stated that the City had requested that the Agency purchase the Parcels from the City for certain predevelopment work prior to selling them to a developer or other qualified person;

**WHEREAS**, The foregoing clearly contemplates the Agency (and not the City) selling (or otherwise conveying) the Parcels;

**WHEREAS**, Reference is also hereby made to the City's option to purchase the Parcels as set forth in Sections 8.1 to 8.5 of the Lease (the "**Option**");

**WHEREAS**, The language from the Resolution referenced above contemplating the Agency selling the Parcels to one or more developers or other qualified persons or entities is inconsistent with and impeded by the City's Option to purchase the Parcels from the Agency; and

**WHEREAS**, In order to permit the Agency to sell the Parcels the City desires to amend the Lease to waive and terminate the Option;

#### **NOW, THEREFORE, BE IT RESOLVED, THAT:**

1. For purposes of this resolution

**"American Tourister Parcel"** means the parcel of land, together with any improvements thereon, which the City currently leases from the Agency and located at 70 Houghton Street, identified on Tax Assessor's Plat 78 as Lot 448.

**"Parcel 12"** means the parcel of land which the City currently leases from the Agency and located at 5 Exchange Street, identified on Tax Assessor's Plat 19 as Lot 120.

**"Port Parcels"** means the parcels of land together with improvements thereon which the City currently leases from the Agency and located at 0 Harborside Boulevard and 140 Terminal Road, identified on Tax Assessor's Plat 56 as Lots 288 and 332, respectively.



2. The City Council hereby acknowledges, agrees and confirms that the Lease permits the sublease of all of the Parcels to the Agency, and further acknowledges that the sublease of the Parcels to the Agency is necessary for the effective implementation and execution of the Project (as defined in the Lease).

3. The City Council hereby acknowledges that the amendment of the Lease in order to clarify the City's ability to sublease all of the Parcels back to the Agency is necessary and proper for the Agency's implementation of the Project, and hereby consents to the amendment of the Lease, as more particularly set forth in the Amendment to Lease attached hereto as Exhibit A (the "Amendment"), in order to delete Section 6.8 of the Lease and replace it with the following:

SECTION 6.8 SUBLETTING. Notwithstanding anything contained herein to the contrary, the City is authorized to sublease some or all of its interest in the Project to the Agency for a rent amount of \$1.00 per year, and the Agency hereby consents to such sublease. The foregoing sublease to the Agency shall not become merged in fee title. Any other sublease of space in the Project shall not be permitted without the prior written consent of the Agency (which consent shall not be unreasonably withheld). In addition, the Agency is authorized to sub-sublet the Parcels to any persons or entities which the Agency deems to be appropriate and beneficial.

5. The City Council hereby acknowledges that permitting the substitution of other real estate (of equal or greater value), as well as the withdrawal of some or all of the Parcels from the Lease upon payment in full of the Bonds and Notes (as defined in the Lease) allocable to such Parcel(s), is both necessary and desirable in order to effectively achieve the objectives of the Resolution, and hereby authorizes the amendment of the Lease to permit the same.

6. In accordance with the foregoing, the City Council hereby consents to the amendment of the Lease (as set forth in the Amendment), in order to delete the definition of "Leased Land" set forth in Section 1.1 of the Lease and replace the same with the following:

"Leased Land" shall mean the real estate owned by the Agency and leased to the City, as more particularly described in Exhibits A-1 to A-3 hereto (as such Exhibits may be amended from time to time, as discussed below) together with all improvements thereon. The real estate and improvements described in Exhibits A-1 to A-3 may be substituted with property of equal or greater value upon written agreement of the Agency and the City, and with written notice to any Trustee and upon written consent of the holder(s) of any Outstanding Bonds or Notes, which consent is at the absolute and sole discretion of such holder(s)

7. The City Council acknowledges and agrees that the City's option to purchase the Parcels or direct their sale is inconsistent with and impedes the objective of having the Agency sell (or otherwise convey) the Parcels to one or more developers or other qualified persons or entities, and for consideration of \$1.00, hereby waives and cancels any and all rights the City may have to purchase the Parcels (which shall include any right it may have to purchase or direct the sale of any Leased Land, as defined in the Lease, as such definition may be amended from time to time), or any part thereof, or to direct their sale, as set forth in Sections 8.1 through 8.5 of the Lease, or as set forth in any other agreement entered into between the City and the Agency, and such options are hereby declared null and void, as though never agreed to by the City or the

Agency. The City Council hereby consents to the amendment of the Lease (as set forth in the Amendment) in order to modify Sections 8.1 to 8.5 as follows:

Section 8.1 is hereby deleted in its entirety and replaced with the following:

SECTION 8.1 [Intentionally Omitted]

Sections 8.2 and 8.3 are hereby deleted in their entirety and replaced with the following:

SECTION 8.2 OPTION TO TERMINATE PRIOR TO EXPIRATION OF LEASE OTHER THAN DUE TO CITY'S NON-APPROPRIATION.

(a) The Agency shall have the right to terminate this Agreement at any time prior to the expiration of the Lease Term upon receipt of payment of the price set forth in Section 8.3(b) of this Agreement (the "Project Termination Price"). The Agency may exercise such right by giving written notice to the City at least ninety (90) days prior to the date of such termination.

(b) The Agency shall have the right to terminate this Agreement with respect to any parcel which is a part of the Project at any time prior to the expiration of the Lease Term upon receipt of payment of the price set forth in Section 8.3(c) of this Agreement (the "Parcel Termination Price"), upon a showing that the Rentals previously paid equal or exceed the Parcel Termination Price and that the appraised value of the Leased Land that remains subject to the Agreement is at least equal to the principal amount and redemption premium, if any, of all Bonds and Notes Outstanding. The Agency may exercise such right by giving written notice to the City at least ninety (90) days prior to the date of such termination. Provided, however, that the Agency's right to terminate under this subpart is subject to the written consent of the holder(s) of any Bonds or Notes that remain Outstanding, which consent shall be at the absolute and sole discretion of such holder(s).

SECTION 8.3 TERMINATION PRICE.

(a) [Intentionally Omitted].

(b) The Project Termination Price shall be the amount, if any, which will be sufficient to provide for payment in full of all Bonds and Notes in conformity with the General Bond Resolution, the Series Resolution, the Note Resolution and all other obligations incurred by the Agency in connection with the Project and under the General Bond Resolution, the Series Resolution, the Note Resolution and this Agreement, plus the additional sum of One Dollar (\$1.00). Such payment in full of the Bonds and Notes shall include the principal of all the Bonds and Notes, the redemption premium, if any, and all interest accrued and to accrue on the Bonds and Notes to their earliest redemption date or their maturity date, whichever is earlier, and any expenses in connection with such payment in full. The obligation to make payments required by this Paragraph (b) shall be satisfied in the same manner as Bonds or Notes are deemed paid pursuant to the General Bond Resolution, the Series Resolution and the Note Resolution.

(c) The Parcel Termination Price shall be the amount, if any, which, will be sufficient to provide for payment in full of the Bonds and Notes allocable to such parcel in conformity with the General Bond Resolution, the Series Resolution, the Note Resolution, and all other obligations incurred by the Agency in connection with the parcel as part of the Project and under the General Bond Resolution, the Series Resolution, the Note Resolution, and this Agreement, plus the additional sum of One Dollar (\$1.00), provided, however, that such amount shall be subject to the written approval and consent of the holder(s) of any Bonds or Notes that remain Outstanding, which consent and approval shall be at the absolute and sole discretion of such holder(s). Such payment shall include the principal of the allocable Bonds and Notes, the redemption premium thereon, if any, and all interest accrued or to accrue on the allocable Bonds and Notes to their maturity date or earlier redemption date (if the conditions for redemption (other than the passage of time or giving of notice) are satisfied as of the date of payment), and any expenses in connection with such payment. The obligation to make payments required by this Paragraph (c) shall be satisfied in the same manner as Bonds or Notes are deemed paid pursuant to the General Bond Resolution, the Series Resolution, and the Note Resolution.

Section 8.4 is hereby deleted in its entirety and replaced with the following:

SECTION 8.4 [Intentionally Omitted].

Section 8.5 is hereby deleted in its entirety and replaced with the following:

SECTION 8.5 SALE OF PROJECT BY AGENCY. Notwithstanding anything contained herein to the contrary, in the event that some or all of the parcels comprising the Leased Land are withdrawn and this Agreement with respect thereto terminated (as set forth above) the Agency hereby covenants and agrees that seventy percent (70%) of any net proceeds received by the Agency from the sale of such parcel(s) to a third party individual or entity for an amount in excess of the Parcel Termination Price or Project Termination Price (as applicable) (which, to be clear, may be \$1.00 pursuant to the provisions set forth above) prior to the expiration of the Lease Term shall be remitted to the City. As used herein, "net proceeds" shall equal the amount of the proceeds actually received by the Agency in connection with the sale of a parcel to a third party individual or entity, minus the Parcel Termination Price for such parcel or Project Termination Price (as applicable), as well as all costs incurred by the Agency in redeveloping, improving, or remediating the parcel, marketing the same for sale, and consummating the sale of such parcel, including without limitation any costs associated with the environmental remediation of the parcel, demolition of structures on such parcel, any improvement allowance or other financial inducement, attorneys fees, realtors commissions, title expenses, conveyance fees, closing costs, and any other costs or expenses incurred by the Agency in connection with the redevelopment, improvement, remediation, marketing and sale of such parcel.

8. The City Council hereby authorizes the Mayor to enter into the Amendment, and the Mayor is authorized to take any and all action and to execute, file, and deliver the Amendment and any and all other documents in such form as he may deem necessary or desirable to implement the amendments to the Lease described herein.

9. This Resolution shall take effect on passage.

## EXHIBIT A

### AMENDMENT TO LEASE

#### FIRST AMENDMENT TO LEASE

THIS FIRST AMENDMENT TO LEASE (this "**Amendment**" or "**First Amendment**") dated as of the \_\_\_ day of \_\_\_\_\_, 2014 (the "**Effective Date**"), between the Providence Redevelopment Agency, a redevelopment agency created pursuant to Chapters 31 through 33, inclusive, of Title 45 of the General Laws of the State of Rhode Island ("**Agency**") and the City of Providence (the "**City**" or the "**Lessee**").

#### WITNESSETH:

**WHEREAS**, Agency and City entered into that certain Lease and Agreement (Miscellaneous Parcels Project) dated as of August 27, 2010, and recorded in the land evidence records for the City of Providence in Book 9803 at Page 239 (the "**Lease**") concerning those certain parcels of land located within the City of Providence, as more particularly described therein (the "**Property**"); and

**WHEREAS**, Agency and City desire to amend the Lease as more fully set forth below.

**NOW, THEREFORE**, in consideration of the mutual covenants and conditions contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Definitions. Unless otherwise specifically set forth herein, all capitalized terms herein shall have the same meaning as set forth in the Lease.
2. Subletting. Section 6.8 of the Lease is hereby deleted in its entirety and replace with the following:

SECTION 6.8 SUBLETTING. Notwithstanding anything contained herein to the contrary, the City is authorized to sublease some or all of its interest in the Project to the Agency for a rent amount of \$1.00 per year, irrespective of the requirements of City departments, agencies and employees, and the Agency hereby consents to such sublease. The foregoing sublease to the Agency shall not become merged in fee title. Any other sublease of space in the Project shall not be permitted without the prior written consent of the Agency (which consent shall not be unreasonably withheld). In addition, the Agency is authorized to sub-sublet the Parcels to any persons or entities which the Agency deems to be appropriate and beneficial.

3. Leased Land. The definition of “Leased Land” set forth in Section 1.1 of the Lease is hereby deleted in its entirety and replaced with the following:

“Leased Land” shall mean the real estate owned by the Agency and leased to the City, as more particularly described in Exhibits A-1 to A-3 hereto (as such Exhibits may be amended from time to time, as discussed below) together with all improvements thereon. The real estate and improvements described in Exhibits A-1 to A-3 may be substituted with property of equal or greater value upon written agreement of the Agency and the City, and with written notice to any Trustee and upon written consent of the holder(s) of any Outstanding Bonds or Notes, which consent is at the absolute and sole discretion of such holder(s).

4. Conveyance of Project. Notwithstanding anything contained in Sections 8.1 to 8.5 of the Lease, the City of Providence hereby waives any and all rights it may have to purchase the Project (or any part thereof) or to direct its sale, and such options are hereby declared null and void, as though never agreed to by the City or the Agency. Any references in the Lease to the “City’s Purchase Option” or related concept are hereby amended to refer to the Agency’s option to terminate the Agreement with respect to the Project (or any part thereof) as described below. Without limiting the foregoing, Sections 8.1 to 8.5 are hereby modified as follows:

Section 8.1 is hereby deleted in its entirety and replaced with the following:

SECTION 8.1 [Intentionally Omitted]

Sections 8.2 and 8.3 are hereby deleted in their entirety and replaced with the following:

SECTION 8.2 OPTION TO TERMINATE PRIOR TO EXPIRATION OF LEASE OTHER THAN DUE TO CITY’S NON-APPROPRIATION.

(a) The Agency shall have the right to terminate this Agreement at any time prior to the expiration of the Lease Term upon receipt of payment of the price set forth in Section 8.3(b) of this Agreement (the “Project Termination Price”). The Agency may exercise such right by giving written notice to the City at least ninety (90) days prior to the date of such termination.

(b) The Agency shall have the right to terminate this Agreement with respect to any parcel which is a part of the Project at any time prior to the expiration of the Lease Term upon receipt of payment of the price set forth in Section 8.3(c) of this Agreement (the “Parcel Termination Price”), or upon a showing that the Rentals previously paid equal or exceed the Parcel Termination Price and that the appraised value of the Leased Land that remains subject to the Agreement is at least equal to the principal amount and redemption premium, if any, of all Bonds and Notes Outstanding. The Agency may exercise such right by giving written notice to the City at least ninety (90) days prior to the date of such

termination. Provided, however, that the Agency's right to terminate under this subpart is subject to the written consent of the holder(s) of any Bonds or Notes that remain Outstanding, which consent shall be at the absolute and sole discretion of such holder(s).

### SECTION 8.3 TERMINATION PRICE.

(a) [Intentionally Omitted].

(b) The Project Termination Price shall be the amount, if any, which will be sufficient to provide for payment in full of all Bonds and Notes in conformity with the General Bond Resolution, the Series Resolution, the Note Resolution and all other obligations incurred by the Agency in connection with the Project and under the General Bond Resolution, the Series Resolution, the Note Resolution and this Agreement, plus the additional sum of One Dollar (\$1.00). Such payment in full of the Bonds and Notes shall include the principal of all the Bonds and Notes, the redemption premium, if any, and all interest accrued and to accrue on the Bonds and Notes to their earliest redemption date or their maturity date, whichever is earlier, and any expenses in connection with such payment in full. The obligation to make payments required by this Paragraph (b) shall be satisfied in the same manner as Bonds or Notes are deemed paid pursuant to the General Bond Resolution, the Series Resolution and the Note Resolution.

(c) The Parcel Termination Price shall be the amount, if any, which will be sufficient to provide for payment in full of the Bonds and Notes allocable to such parcel in conformity with the General Bond Resolution, the Series Resolution, the Note Resolution, and all other obligations incurred by the Agency in connection with the parcel as part of the Project and under the General Bond Resolution, the Series Resolution, the Note Resolution, and this Agreement, plus the additional sum of One Dollar (\$1.00), provided, however, that such amount shall be subject to the written approval and consent of the holder(s) of any Bonds or Notes that remain Outstanding, which consent and approval shall be at the absolute and sole discretion of such holder(s). Such payment shall include the principal of the allocable Bonds and Notes, the redemption premium thereon, if any, and all interest accrued or to accrue on the allocable Bonds and Notes to their maturity date or earlier redemption date (if the conditions for redemption (other than the passage of time or giving of notice) are satisfied as of the date of payment), and any expenses in connection with such payment. The obligation to make payments required by this Paragraph (c) shall be satisfied in the same manner as Bonds or Notes are deemed paid pursuant to the General Bond Resolution, the Series Resolution, and the Note Resolution.

Section 8.4 is hereby deleted in its entirety and replaced with the following:

SECTION 8.4 [Intentionally Omitted].

Section 8.5 is hereby deleted in its entirety and replaced with the following:

SECTION 8.5 SALE OF PROJECT BY AGENCY. Notwithstanding anything contained herein to the contrary, in the event that some or all of the parcels comprising the Leased Land are withdrawn and this Agreement with respect thereto terminated (as set forth above) the Agency hereby covenants and agrees that seventy percent (70%) of any net proceeds received by the Agency from the sale of such parcel(s) to a third party individual or entity for an amount in excess of the Parcel Termination Price or Project Termination Price (as applicable) (which, to be clear, may be \$1.00 pursuant to the provisions set forth above) prior to the expiration of the Lease Term shall be remitted to the City. As used herein, "net proceeds" shall equal the amount of the proceeds actually received by the Agency in connection with the sale of a parcel to a third party individual or entity, minus the Parcel Termination Price for such parcel or Project Termination Price (as applicable), as well as all costs incurred by the Agency in redeveloping, improving, or remediating the parcel, marketing the same for sale, and consummating the sale of such parcel, including without limitation any costs associated with the environmental remediation of the parcel, demolition of structures on such parcel, any improvement allowance or other financial inducement, attorneys fees, realtors commissions, title expenses, conveyance fees, closing costs, and any other costs or expenses incurred by the Agency in connection with the redevelopment, improvement, remediation, marketing and sale of such parcel.

5. Miscellaneous. Except as otherwise expressly amended, modified and provided for in this Amendment, the City and Agency hereby ratify all of the provisions, covenants and conditions of the Lease, and such provisions, covenants and conditions shall be deemed to be incorporated herein and made a part hereof and shall continue in full force and effect. This Amendment may be executed simultaneously in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

**Read and Passed, On Motion of COUNCILMAN YURDIN, Seconded by COUNCILMAN JENNINGS.**



<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Seth Yurdin, Councilman
<b>SECONDER:</b>	Wilbur W. Jennings, Councilman
<b>AYES:</b>	Solomon, Castillo, Hassett, Igliozi, Jackson, Jennings, Matos, Principe, Salvatore, Sanchez, Yurdin, Zurier – 12.
<b>ABSENT:</b>	Aponte, Correia, Narducci – 3.

**The Motion for Passage is Sustained.**

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**SPECIAL COMMITTEE ON  
WAYS AND MEANS  
COUNCILMAN DAVID SALVATORE, Chairman**

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

**COUNCIL PRESIDENT SOLOMON, COUNCILMAN HASSETT, (By Request):**

An Ordinance Amendment in entirety of No. 88 of Chapter 2005-17 of the Providence Code of Ordinances Establishing and Granting a Tax Stabilization Plan for Capitol Cove, LLC now 261 LLC, with respect to Assessor's Plat 4, Lots 261, 262 and 263 (formerly Assessor's Plat 4, Lot 247) of the City of Providence, as previously amended in its entirety by No. 92 of Chapter 2010-4.

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

<b>RESULT:</b>	<b>READ/PASSED FOR THE FIRST TIME [UNANIMOUS]</b>
<b>TO:</b>	Special Committee on Ways and Means
<b>MOVER:</b>	Seth Yurdin, Councilman
<b>SECONDER:</b>	Wilbur W. Jennings, Councilman
<b>AYES:</b>	Solomon, Castillo, Hassett, Igliozi, Jackson, Jennings, Matos, Principe, Salvatore, Sanchez, Yurdin, Zurier – 12.
<b>ABSENT:</b>	Aponte, Correia, Narducci – 3.

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

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

Resolution Authorizing Approval of the following Contract Award by the Board of Contract and Supply, in accordance with Section

21-26 of the Code of Ordinances.

Xerox State & Local Solutions, Inc.  
(Public Property)

Unit Price

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

Xerox State & Local Solutions, Inc.  
(Public Property)

Unit Price

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

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Seth Yurdin, Councilman
<b>SECONDER:</b>	Wilbur W. Jennings, Councilman
<b>AYES:</b>	Solomon, Castillo, Hassett, Igliozi, Jackson, Jennings, Matos, Principe, Salvatore, Sanchez, Yurdin, Zurier – 12.
<b>ABSENT:</b>	Aponte, Correia, Narducci – 3.

**The Motion for Passage is Sustained.**

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Resolution Requesting to cancel or abate in whole the taxes assessed upon Assessor's Plat 108, Lot 309 (234 Laurel Hill Avenue) on behalf of the Providence Redevelopment Agency, in the amount of Fifteen Thousand Three Hundred Eighty Three Dollars and Seventy Four (\$15,383.74) Cents.

**WHEREAS**, To effectuate its goal of redevelopment, the Providence Redevelopment Agency (the "Agency") is transferring real property currently held by the Agency located at 234 Laurel Hill Avenue, Providence, RI 02909.

**NOW, THEREFORE, BE IT RESOLVED**, That the taxes from 1990-2013, in the amount of \$15,383.74, assessed upon, 234 Laurel Hill Avenue, Providence, a 3,136 sq. ft. parcel, Assessors Plat: 108 Lot: 309, along with any associated interest, penalties and intervening taxes are hereby abated in whole.

Resolution Requesting to cancel or abate in whole the taxes assessed upon Assessor's Plat 108, Lot 26 (148 Pocasset Avenue) on behalf of the Providence Redevelopment Agency, in the amount of Forty Four Thousand Two Hundred Sixty Eight Dollars and Nineteen (\$44,268.19) Cents.

**WHEREAS**, To effectuate its goal of redevelopment, the Providence Redevelopment Agency (the "Agency") is transferring real property currently held by the Agency located at 148 Pocasset Avenue, Providence, RI 02909.

**NOW THEREFORE, BE IT RESOLVED**, That the taxes from 1990-2013, in the amount of \$44,268.19 assessed upon, 148 Pocasset Avenue, Providence, a 6,706sq. ft. parcel, Assessors Plat: 108 Lot: 26, along with any associated interest, penalties and intervening taxes are hereby abated in whole.

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Resolution Requesting to cancel or abate in whole the taxes assessed upon Assessor's Plat 23, Lot 46 (15 Somerset Street) on behalf of the Providence Redevelopment Agency, in the amount of Ten Thousand Eight Hundred Thirty Two Dollars and Twenty Nine (\$10,832.29) Cents.

**WHEREAS**, To effectuate its goal of redevelopment, the Providence Redevelopment Agency (the "Agency") is transferring real property currently held by the Agency located at 15 Somerset Street, Providence, RI 02905.

**NOW THEREFORE, BE IT RESOLVED**, That the taxes, in the amount of \$10,832.29 assessed upon 15 Somerset Street, Providence, a 5,000 sq. ft. parcel vacant lot, Assessors Plat: 23 Lot: 46, along with any associated interest, penalties and intervening taxes are hereby abated in whole.

**COUNCILMAN YURDIN Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, Seconded by COUNCILMAN JENNINGS.**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Seth Yurdin, Councilman
<b>SECONDER:</b>	Wilbur W. Jennings, Councilman
<b>AYES:</b>	Solomon, Castillo, Hassett, Igliozi, Jackson, Jennings, Matos, Principe, Salvatore, Sanchez, Yurdin, Zurier – 12.
<b>ABSENT:</b>	Aponte, Correia, Narducci – 3.

**The Motion for Passage is Sustained.**

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Communication from His Honor the Mayor, dated June 3, 2014, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day re-appointing Omar Bah of 28 Erie Street, Providence, Rhode Island, as a member of the Human Relations Commission for a term to end January 31, 2017, and respectfully submits the same for your approval.

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Communication from His Honor the Mayor, dated June 3, 2014, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day appointing Chace Baptista of 27 Yorkshire Street, Providence, Rhode Island, as a member of the Human Relations Commission for a term to end January 31, 2017, and respectfully submits the same for your approval. (Mr. Baptista will replace Maria Alvarado who has resigned.)

---

Communication from His Honor the Mayor, dated June 3, 2014, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day re-appointing Mary Dean of 31 Chaucer Street, Providence, Rhode Island, as a member of the Human Relations Commission for a term to end January 31, 2017, and respectfully submits the same for your approval.

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Communication from His Honor the Mayor, dated June 3, 2014, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day appointing Phanida Phivilay of 84 Maynard Street, Providence, Rhode Island, as a member of the Human Relations Commission for a term to end January 31, 2015 and respectfully submits the same for your approval. (Ms. Phivilay will replace Padee Thao who has resigned.)

**COUNCILMAN YURDIN Moves to Dispense with the reading of the foregoing matters and Moves to Receive and Approve the foregoing Communications, Seconded by COUNCILMAN JENNINGS.**

<b>RESULT:</b>	<b>RECEIVED AND APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Seth Yurdin, Councilman
<b>SECONDER:</b>	Wilbur W. Jennings, Councilman
<b>AYES:</b>	Solomon, Castillo, Hassett, Igliozi, Jackson, Jennings, Matos, Principe, Salvatore, Sanchez, Yurdin, Zurier – 12.
<b>ABSENT:</b>	Aponte, Correia, Narducci -3.

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## COMMUNICATIONS AND REPORTS

Communication from His Honor the Mayor, dated July 11, 2014, submitting the Community Development Block Grant Budget for Year 2014-2015.

**COUNCIL PRESIDENT SOLOMON Refers the Communication to the Committee on Urban Redevelopment, Renewal and Planning.**

<b>RESULT:</b>	<b>REFERRED</b>
<b>TO:</b>	Committee on Urban Redevelopment, Renewal and Planning

Communication from His Honor the Mayor, dated July 10, 2014, submitting the Providence's Solid Waste and Recycling Services Agreement between the Rhode Island Resource Recovery Corporation and the City of Providence from July 1, 2014 through June 30, 2017.

**COUNCIL PRESIDENT SOLOMON Refers the Communication to the Special Committee on Ways and Means.**

<b>RESULT:</b>	<b>REFERRED</b>
<b>TO:</b>	Special Committee on Ways and Means

Communication from His Honor the Mayor, dated June 26, 2014, Informing the Honorable Members of the City Council and James S. Bennett, Executive Director, Providence Economic Development Partnership, 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 Frank Benell of 137 Dean Street, Providence, Rhode Island 02903, as a member of the Providence Economic Development Loan Committee for a term ending January 31, 2017.

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Communication from His Honor the Mayor, dated June 26, 2014, Informing the Honorable Members of the City Council and James S. Bennett, Executive Director, Providence Economic Development Partnership, that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended, and Article II, Section 2, of the Providence Economic Development Partnership, Inc. by-laws, he is hereby re-appointing Mr. Daniel A. Baudouin of 2 Thomas Street, Providence, Rhode Island 02903, Executive Director of the Providence Foundation, as a member of the Board of Directors of the Providence Economic Development Partnership for a term to expire on June 30, 2017.

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Communication from His Honor the Mayor, dated June 26, 2014, Informing the Honorable Members of the City Council and James S. Bennett, Executive Director, Providence Economic Development Partnership, that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended, and Article II, Section 2, of the Providence Economic Development Partnership, Inc. by-laws, he is hereby re-appointing Adriana I. Dawson of 28 Burns Street, Providence Rhode Island 02904, Director of Employer Outreach & Engagement at Roger Williams University, as a member of the Board of Directors of the Providence Economic Development Partnership for a term to expire on June 30, 2017.

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Communication from His Honor the Mayor, dated June 26, 2014, Informing the Honorable Members of the City Council and James S. Bennett, Executive Director, Providence Economic Development Partnership, that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended, and Article II, Section 2, of the Providence Economic Development Partnership, Inc. By-laws, he is hereby re-appointing Mr. Bill Tracey of 26 South Angell Street, Providence Rhode Island, 02906, President of Trac Builders, as a member of the Board of Directors of the Providence Economic Development Partnership for a term to expire on June 30, 2017.

Communication from Lori L. Hagen, Second Deputy City Clerk, dated July 3, 2014, of all monies received, transmitted to and credited by the City Collector for fiscal quarter of April 1, 2014 to and including June 30, 2014, in the amount of Two Thousand Four Hundred Sixteen Dollars and Fifteen (\$2,416.15) Cents.

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Communication from Lori L. Hagen, Second Deputy City Clerk, dated July 3, 2014, of all monies received, transmitted to and credited by the City Collector for fiscal year ending June 30, 2014, in a total amount of Seven Thousand Five Hundred Forty Dollars and Twenty Five (\$7,540.25) Cents.

**COUNCILMAN YURDIN Moves to Dispense with the reading of the foregoing matters and Moves to Receive the foregoing Communications, Seconded by COUNCILMAN JENNINGS.**

<b>RESULT:</b>	<b>RECEIVED</b>
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Report of the Board of Park Commissioners relative to receipts of certain gifts of moneys for the preservation and care of special burial lots in the North Burial Ground.

**COUNCILMAN YURDIN Moves to Receive and Approve the foregoing Report, Seconded by COUNCILMAN JENNINGS.**

<b>RESULT:</b>	<b>RECEIVED AND APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Seth Yurdin, Councilman
<b>SECONDER:</b>	Wilbur W. Jennings, Councilman
<b>AYES:</b>	Solomon, Castillo, Hassett, Iglioizzi, Jackson, Jennings, Matos, Principe, Salvatore, Sanchez, Yurdin, Zurier – 12.
<b>ABSENT:</b>	Aponte, Correia, Narducci – 3.

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## FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

National Grid  
Miguelina Kingsley  
Stephen P. Nugent  
(Robert D. Goldberg, Esquire)  
Luis Ortega  
Lois Tejada; Lois Tejada p.p.a. Juelz  
Ferreiras; Katherine Tejada and  
Belkys Dilone  
(Christopher E. Fay, Esquire)  
Aimee E. Bacon

Alexis A. Valerio  
Rita Barros  
Ursula Francisco  
(Robert V. Russo, Esquire)  
Anne D'Amico  
Theresa Thomas Ioffe  
Selective Insurance Company  
a/s/o Jessica Glatzer-Murphy  
Robin A. Zukowski

**COUNCIL PRESIDENT SOLOMON 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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## PRESENTATION OF RESOLUTIONS "IN CONGRATULATIONS"

### COUNCIL PRESIDENT SOLOMON AND MEMBERS OF THE CITY COUNCIL

Resolution Extending Congratulation.

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

Margaret Cavanaugh, Girl Scout Troop 61, in recognition of earning the Girl Scout Bronze Award, for her commitment and dedication to the Providence Animal League, delivering donations collected in May to the shelter.

Arianna Benoit, Girl Scout Troop 61, in recognition of earning the Girl Scout Bronze Award, for her commitment and dedication to the Providence Animal League, delivering donations collected in May to the shelter.

Kiara Falcasantos, Girl Scout Troop 61, in recognition of earning the Girl Scout Bronze Award, for her commitment and dedication to the Providence Animal League, delivering donations collected in May to the shelter.



Annie Sweet, Girl Scout Troop 61, in recognition of earning the Girl Scout Bronze Award, for her commitment and dedication to the Providence Animal League, delivering donations collected in May to the shelter.

Michaela White, Girl Scout Troop 61, in recognition of earning the Girl Scout Bronze Award, for her commitment and dedication to the Providence Animal League, delivering donations collected in May to the shelter.

Lillian Cousineau, Girl Scout Troop 61, in recognition of earning the Girl Scout Bronze Award, for her commitment and dedication to the Providence Animal League, delivering donations collected in May to the shelter.

Cassandra Hoyt, Girl Scout Troop 61, in recognition of earning the Girl Scout Bronze Award, for her commitment and dedication to the Providence Animal League, delivering donations collected in May to the shelter.

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Arianna Zaharakos, Girl Scout Troop 61, in recognition of her commitment and dedication to the Providence Animal Rescue League.

Isabella Jones, Girl Scout Troop 61, in recognition of her commitment and dedication to the Providence Animal Rescue League.

Henrietta Bryant Pedersen, in recognition of the celebration of her 100<sup>th</sup> Birthday, born May 17, 1914.

Arthur and Ruby Lawrence, in recognition of the celebration of the re-naming of Alphonso Street Park to the Arthur and Ruby Lawrence Neighborhood Park.

Arthur and Ruby Lawrence, in recognition of the celebration of their 75<sup>th</sup> Wedding Anniversary.

Pastor Claude Jefferies, in recognition of his 17 years of dedicated service to the United First Born Church of Jesus Christ and to his community.

Albino A. Petteruto, in recognition of the celebration of his 90<sup>th</sup> Birthday, born July 17, 1924.

Mr. & Mrs. Joseph Caligiuri, in recognition of the celebration of their 64<sup>th</sup> Wedding Anniversary.

Councilman Wilbur W. Jennings Jr, in recognition of the celebration of his 70<sup>th</sup> Birthday.

Nicole M. Narducci and Ian Klebauskas, in recognition of the celebration of their Engagement on April 19, 2014.

**Severally Read and Collectively Passed, on Motion of COUNCILMAN YURDIN, Seconded by COUNCILMAN JENNINGS.**

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Seth Yurdin, Councilman
<b>SECONDER:</b>	Wilbur W. Jennings, Councilman
<b>AYES:</b>	Solomon, Castillo, Hassett, Igliozi, Jackson, Jennings, Matos, Principe, Salvatore, Sanchez, Yurdin, Zurier – 12.
<b>ABSENT:</b>	Aponte, Correia, Narducci – 3.

**The Motion for Passage is Sustained.**

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## **PRESENTATION OF RESOLUTIONS "IN MEMORIAM"**

### **COUNCIL PRESIDENT SOLOMON 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:

Ronald J. Hagen

Nentor Dahn

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

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Seth Yurdin, Councilman
<b>SECONDER:</b>	Wilbur W. Jennings, Councilman
<b>AYES:</b>	Solomon, Castillo, Hassett, Igliozi, Jackson, Jennings, Matos, Principe, Salvatore, Sanchez, Yurdin, Zurier – 12.
<b>ABSENT:</b>	Aponte, Correia, Narducci – 3.

**The Motion for Passage is Sustained.**

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**MATTERS NOT APPEARING  
ON THE PRINTED DOCKET**

**On motion of COUNCILMAN YURDIN, Seconded by COUNCILMAN JENNINGS, 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.**

**COUNCILMAN SANCHEZ**

Resolution Requesting the Alphonso Street Park be renamed the "Arthur and Ruby Lawrence Neighborhood Park."

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

<b>RESULT:</b>	<b>REFERRED</b>
<b>TO:</b>	Committee on Urban Redevelopment, Renewal and Planning

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

Resolution Requesting the existing portion of South Water Street between Wickenden Street and India Street be renamed Bridge Street; the existing portion of South Main Street between Wickenden Street and India Street be renamed South Water Street and the existing portion of roadway starting at the northeast intersection of the proposed Bridge Street be renamed Wickenden Street.

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

<b>RESULT:</b>	<b>REFERRED</b>
<b>TO:</b>	Committee on Urban Redevelopment, Renewal and Planning

Communication from Ruben Flores-Marzan, AICP, LLP, Director, Department of Planning and Development, submitting their Quarterly Loan Reports.

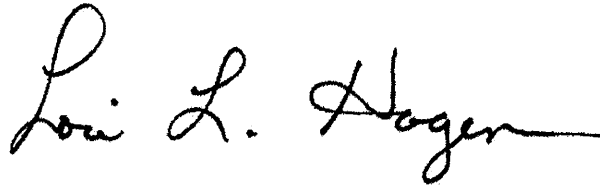
**COUNCIL PRESIDENT SOLOMON Refers the Resolution to the Special Committee on Ways and Means.**

<b>RESULT:</b>	<b>REFERRED</b>
<b>TO:</b>	Special Committee on Ways and Means

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**CONVENTION**

There being no further business, on Motion of **COUNCILMAN YURDIN**, Seconded by **COUNCILMAN JENNINGS**, it is voted to adjourn at 7:45 o'clock P.M., to meet again **MONDAY, AUGUST 4, 2014 at 4:30 o'clock P.M.**



**LORI L. HAGEN  
SECOND DEPUTY CITY CLERK**

**This meeting was recorded and the video may be viewed on demand via the internet.  
Please visit the City Clerk web site or contact us directly for details.**