

CITY OF PROVIDENCE  
RHODE ISLAND



CITY COUNCIL  
JOURNAL OF PROCEEDINGS

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No. 8 City Council Regular Meeting, Thursday, April 20, 2006, 7:30 o'clock P.M. (E.D.T.)

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PRESIDING  
COUNCIL PRESIDENT  
JOHN J. LOMBARDI

ROLL CALL

Present: COUNCIL PRESIDENT LOMBARDI,  
COUNCILMEN APONTE, BUTLER, COUN-  
CILWOMAN DIRUZZO, COUNCILMEN  
HASSETT, IGLIOZZI, JACKSON, MANCINI,  
COUNCILWOMAN ROMANO, COUN-  
CILMAN SEGAL, COUNCILWOMEN  
WILLIAMS and YOUNG -12.

Absent: COUNCILMAN ALLEN, DeLUCA and  
LUNA - 3.

Also Present: Anna M. Stetson, City Clerk,  
Lori Hagen, Second Deputy City Clerk, Sheri  
A. Petronio, Assistant Clerk, Adrienne G.  
Southgate, Deputy City Solicitor and Vincent  
J. Berarducci, City Sergeant.

189

IN CITY COUNCIL  
JUL 6 2006

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READ  
WHEREUPON IT IS ORDERED THAT  
THE SAME BE APPROVED.

*Anna M. Stetson, City Clerk*

## INVOCATION

The Invocation is given by REVEREND  
ROBERT J. GIARDINA, SAINT CHARLES  
BORROMEO CHURCH.

## PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

COUNCILMAN JOSEPH DeLUCA  
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 RECORDS

Journal of Proceedings No. 36 of the  
Regular Meeting of the City Council held  
February 19, 2004, Journal of  
Proceedings No. 37 of the Regular  
Meeting of the City Council held March 4,  
2004 and Journal of Proceedings No. 38  
of the Regular Meeting of the City  
Council held March 18, 2004 and Posted  
on April 13, 2006 on that Bulletin Board  
located on the Ground Level of City Hall,  
are approved, as printed, on Motion of  
COUNCILMAN APONTE, seconded by  
COUNCILMAN BUTLER.

## APPOINTMENT BY HIS HONOR THE MAYOR

Communication dated March 31, 2006, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1107 of the Providence Home Rule Charter of 1980, as amended, and 2004 Ordinance 544 Chapter 502.1 and 2005 Ordinance 604, he is this day appointing Richard Baccari, Jr. of 785 Academy Avenue, Providence, Rhode Island 02908, as a

member of the Downcity Design Review Committee for a term to expire in April 2007. (Mr. Bacarri is filling an existing vacancy as an alternate member)

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

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## ORDINANCES SECOND READING

**The Following Ordinances were in City Council April 6, 2006 Read and Passed the First Time and are Severally Returned for Passage the Second Time:**

An Ordinance in Amendment of Ordinance No. 344, Chapter 2005-36, Approved July 27, 2005, Entitled: "An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Ordinance Chapter 2004-48, No. 583, Approved December 7, 2004, As Amended."

*Be it ordained by the City of Providence:*

Manager of Policy & Media-Relations-City Council  
GRADE A-17

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An Ordinance in Amendment of Ordinance No. 345, Chapter 2005-37, Approved July 27,

2005, Entitled: "An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the City Departments and Repealing Ordinance Chapter 2004-49, No. 584, Approved December 7, 2004, As Amended."

*Be it ordained by the City of Providence:*

Manager of Policy & Media Relations-City Council

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An Ordinance Divesting from the Republic of Sudan.

*Be it ordained by the City of Providence:*

- A) The assets of any investment account, including pension, endowment, and annuity funds, under the jurisdiction of the Board of Investment Commissioners and/or the Finance Director (the "fiduciaries") shall not knowingly be invested in companies ("targeted companies") which either directly or through an affiliated instrumentality meet the following criteria:
- i) Provide revenues to the Sudanese government through business with the government, government-owned companies or government-controlled consortiums.
  - ii) Offer little substantive benefit to those outside of the Sudanese government or its affiliated supporters in Khartoum, Northern Sudan and the Nile River Valley; this "outside" population specifically includes the country's disaffected Eastern, Southern, and Western regions.
  - iii) Have either demonstrated complicity in the Darfur genocide or have not taken any substantial action to halt the genocide: Substantial action shall include but is not limited to curtailment of operations or public pressure on the Sudanese government. Simple company statements shall not constitute evidence of substantial action.
- B) Companies providing military equipment, arms, or defense supplies to any domestic party in Sudan", including the Sudanese government and rebels, shall automatically be targeted for divestment. A strong presumption shall also be made against any company providing any domestic party in Sudan with equipment that may be readily co-opted for military use, including radar systems and military-grade transport vehicles, unless that company has implemented safeguards against such co-option.
- C) Companies which, either directly or through an affiliated instrumentality, provide services clearly dedicated to social development for the whole country shall be excluded from divestment. Such entities include, but are not limited to those providing medicine and medical equipment, agricultural supplies and agricultural infrastructure, educational opportunities, journalism-related activities and general consumer goods.
- D) The following types of investments shall be subject to divestment:
- i) Direct holdings of public equity, corporate bonds, and Sudanese government-issued bonds.
    - a) Direct investments shall be defined as holdings directly managed by the fiduciaries mentioned in this ordinance, and all holdings administered by a contracted manager in separately managed accounts, including both actively-managed and passively-managed/indexed funds.

- ii) Holdings of public equity, corporate bonds, and Sudanese-government-issued bonds in commingled accounts that are passively-managed/indexed. Actively-managed, commingled accounts, for both public equity and fixed-income investments, will be excluded from immediate divestment. Such accounts are still covered under section 1e of this ordinance.
- iii) Private equity holdings with readily identifiable ties to Sudan.
  - a) "Readily identifiable" is left to the good faith judgment of the fiduciaries mentioned in this ordinance.
- E) The Finance Director and Board of Investment Commissioners shall submit letters to contracted managers of actively-managed, commingled accounts requesting that the manager consider creating an actively-managed, commingled account devoid of companies targeted as a result of this ordinance. In the event of such an introduction, the fiduciaries shall transfer all assets in actively-managed, commingled accounts into the newly available, Sudan-free accounts in an expedited timeframe still consistent with the fiduciaries' prudent investor obligations.
- F) The list of targeted companies shall be determined by submitting the criteria in section 1a-c to a reputable and non-biased third-party research firm, such as, but not limited to, the Institutional Shareholder Services, Inc. and KLD Research & Analytics.

Such a list may require modifications as circumstances in Sudan evolve.

- G) Research attained through the process outlined in section 1f must, when possible, be supplemented by publicly available research, communication with potentially targeted companies and communication with states and institutions that have already divested.
- H) Reasons for eliminating or adding a company from a preliminary list of identified companies based on the process outlined in section 1f must be justified in writing and supported by available research.
- I) The Finance Director and Board of Investment Commissioners shall take appropriate action to sell, redeem, divest or withdraw any investment held in violation of this act.

## *Section 2*

This ordinance shall take effect upon passage.

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An Ordinance Regarding Avoidance of Purchasing Items Fabricated in Sweatshops.

*Be it ordained by the City of Providence:*

*Whereas*, the City of Providence recognizes a public interest in avoiding purchasing from vendors and contractors who obtain goods that originate in sweatshops - places of work where the labor practices are inconsistent with international standards of human rights; and

*Whereas*, the City of Providence recognizes a public interest in avoiding purchasing from vendors and contractors who obtain goods that originate in sweatshops; and

*Whereas*, the City Council believes that it is every person's responsibility to respect and avoid exploiting those who are vulnerable; and

*Whereas*, the apparel industry in particular often engages in practices that result in poverty wages, violations of workers rights, and unsafe and unhealthy working conditions; and

*Whereas*, as a participant in the marketplace, the City chooses to allocate its purchasing dollars to enhance the economic and social well-being of people, while acquiring the best possible quality goods at the lowest cost.

*Now, therefore, be it resolved*, that the City of Providence hereby adopts the following ordinance to regulate the purchasing and renting of items of apparel:

#### *Section 1.*

(1) Purpose. The City of Providence declares the City's intent to avoid purchases of items from sweatshops, and its desire to allocate its funds in a manner that enhances the rights and well-being of workers worldwide, while acquiring the best quality goods at reasonable cost. The Council finds that contractors can have influence throughout their entire supply chain, and therefore have an obligation to workers in subcontractor and subsidiary factories in addition to their direct obligations to their own employees. The purpose of this ordinance is to ensure that City procurement of apparel is made from

responsible contractors and vendors who agree to adhere to the minimum employment standards required herein and to require their subcontractors and third-party suppliers to do the same, so that all employees involved in the City's procurement may be afforded the opportunity to a fair, humane work environment as described herein.

The Council finds the following labor practices inconsistent with international standards of human rights:

- a. below-subsistence wages;
- b. excessively long working hours;
- c. unhealthy and unsafe working environments;
- d. child, indentured, and forced labor;
- e. disregard for local and international labor laws and workplace regulations;
- f. disregard for fundamental women's rights;
- g. repression of workers' rights to assemble and bargain collectively.

(2) Applicability - Apparel. This ordinance shall apply to all City procurement of apparel totaling \$5,000 or more. For purposes of this ordinance, "procurement" shall include the purchase, rental, lease, laundering or dry cleaning of apparel, whether by contract, purchase order, or other means; and allowance and voucher programs for city employees to make their own purchases, except where a city collective bargaining agreement establishes a clothing allowance or voucher program, in which case the terms of the collective bargaining agreement shall control. This ordinance shall also apply to contracts for the provision of City financial assistance, if \$5,000 or more of will be used for procurement of apparel.

(3) Definitions.

- (a) "Apparel" means all garments or items of clothing any part of which is a textile produced by weaving, knitting or felting; and all shoes and other footwear.
- (b) "Contractor" or "vendor" means a person or entity from whom the City has a current procurement relationship as that term is used in sub (2) above, or who is bidding or proposing to provide apparel to the City under a procurement arrangement.
- (c) "Employee" means any individual who may be required or directed by any employer, in consideration of direct or indirect gain or profit, to engage in any employment, or to go to or work or be at any time in any place of employment. "Employee" includes individuals whose work is permanent or temporary, or on a full-time or part-time basis.
- (d) A "fair wage" is the total 'take home' or 'net' wage, earned during a country's legal maximum work week, but not more than 48 hours. A fair wage provides for the basic needs (housing, energy, nutrition, clothing, health care, education, potable water, childcare, transportation and savings) of an average family unit of employees in the manufacturing employment sector of the country divided by the average number of adult wage earners in the family unit of employees in the manufacturing employment sector of the country.

- (e) "Subcontractor" means a person, partnership, corporation or other entity that enters into a contract with a contractor or vendor for performance of some or all of the City-contracted work. For purposes of this ordinance, "subcontractor" shall include all third-party suppliers or producers from whom the contractor or its contractors obtains or sources goods, parts or supplies for use on the city contract and is intended to include suppliers at all level of the supply chain.

(4) Employment Standards for Contractors and Vendors.

- (a) Domestic or Foreign Manufacturers, Presumption. It is presumed that all contractors, subcontractors, third-party suppliers and other entities involved in the production of goods under city contracts at locations within the United States are subject to and will follow all applicable federal, state and local laws such as labor, employment, and safety laws. While this ordinance is applicable to procurement of apparel from all sources, the standards in subsection (4) are intended primarily for subcontractors and suppliers located outside the United States where the applicable law or practices does not already provide the protections necessary to accomplish the goals of this Ordinance. Nothing in this Ordinance shall be construed to limit or reduce the responsibility of contractors located within the United States to follow applicable law in their jurisdiction.

- (b) Standards. Contractors shall adhere to or exceed the following minimum employment standards, and shall require all subcontractors, as defined in sub (3)(e), to do the same. Wherever the word "contractor" is used below, the same requirement shall apply to subcontractors as defined in sub (3)(e).

These standards shall apply in all phases/aspects of the contractor's or their subcontractor's operations, including but not limited to, manufacture, assembly, finishing, laundering or dry cleaning, (where applicable), warehouse distribution, and delivery:

1. Wages and Benefits Contractors should recognize that wages are essential to meeting employees' basic needs. Contractors shall pay employees, at minimum, wages and benefits which comply with all applicable laws and regulations, and which provide for essential needs and establish a dignified fair wage for workers and their families. This must always meet or exceed any applicable minimum wage, or other "fair wage," "living wage" or other law that requires a wage that exceeds the applicable minimum wage, whichever is higher.

2. Working Hours. Hourly and/or quota-based wage employees shall not be required to work more than 48 hours per week or the limits on regular hours allowed by the law of the country of manufacture, whichever is lower, and be entitled to at least one (1) day off in every seven (7) day period, as well as holidays and vacations off.

3. Overtime Compensation. All overtime hours must be worked voluntarily by

employees. In addition to their compensation for regular hours of work, hourly and/or quota-based wage employees shall be compensated for overtime hours at such a premium rate as is legally required in the country of manufacture or, in those locations where such laws do not exist, at a rate at least one and one-half their regular hourly compensation rate.

4. Child Labor. Contractors shall not employ any person at an age younger than 15 (or 14, where, consistent with International Labor Organization practices for developing locations, the law of the country of manufacture allows such exception). Contractors and sub-contractors agree to consult with governmental, human rights, and nongovernmental organizations, and to take reasonable steps as evaluated by the City and any independent monitoring agency acting on behalf of the City, to minimize the negative impact on children released from employment as a result of implementation or enforcement of the Ordinance.

5. Forced Labor. There shall not be any use of prison labor, indentured labor, bonded labor or other forced labor.

6. Health and Safety. Contractors shall provide a safe and healthy working environment to prevent employee accidents and injury to health arising out of or occurring in the course of employment or as a result of the operation of their facilities. In addition, contractors shall ensure that all operations comply with all workplace safety and health regulations established by the national government where the production facility is located, or with Title 29 of the Code of Federal Regulations, enforced by Occupational Safety and Health Administration (OSHA), whichever regulation is more strict.



The contractor shall ensure that its operations comply with all health and safety conventions of the International Labor Organization (ILO) ratified and adopted by the country in which the production facility is located.

7. Nondiscrimination: No person shall be subject to any discrimination in employment; including but not limited to hiring, employment, recruitment or recruitment advertising, salary rates of pay or other forms of compensation, benefits, advancement, transfer, selection for training including apprenticeships, discipline, demotion, termination or retirement; on the basis of race, religion, marital status, age, color, sex, handicap, national origin or ancestry, income level or source of income, arrest record or conviction record, less than honorable discharge, physical appearance, sexual orientation, political beliefs, or student status.

8. Harassment or Abuse. Every employee shall be treated with dignity and respect. No employee shall be subject to any physical, sexual, psychological, or verbal harassment or abuse. Contractors will not use or tolerate any form of corporal punishment.

9. Freedom of Association and Collective Bargaining. Contractors shall recognize and respect the right of employees to freedom of association and collective bargaining. No employee shall be subject to harassment, intimidation or retaliation as a result of their efforts to freely associate or bargain collectively. Contractors and sub-contractors shall not cooperate with corrupt governmental agencies and other organizations that use the power of the State to prevent workers from organizing a union of their choice. Contractors shall allow union

organizers free access to employees and shall recognize the union of the employees' choice. In addition to respecting the right of employees to freedom of association and collective bargaining, contractors must source from factories where the above commitment has been demonstrated as exemplified by the following:

- a. There exist clear channels through which workers can voice their complaints regarding working conditions and such complaints are addressed in a prompt and effective manner;
- b. The workers have a representative voice in workplace decisions;
- c. Management negotiates with the workers in good faith.

10. Women's Rights. Women workers will receive equal remuneration, including benefits; equal treatment; equal evaluation of the quality of their work; and equal opportunity to fill all positions open to male workers. Pregnancy tests will not be a condition of employment, nor will they be demanded of employees. Workers who take maternity leave will not face dismissal nor threat of dismissal, loss of seniority or deduction of wages, and will be able to return to their former employment at the same rate of pay and benefits. Workers will not be forced or pressured to use contraception. Workers will not be exposed to hazards, including glues and solvents, that may endanger their safety, including their reproductive health. Contractors and sub-contractors shall provide appropriate services and accommodation to women workers in connection with pregnancy.

- (c) Effect of Applicable Local Law: Contractor (and any subcontractors or third party suppliers) must comply with all applicable laws and regulations of the jurisdiction where it is located. Where there is a conflict between this ordinance and the local laws or regulations, the more strict restriction shall apply. However, where the law conflicts with this Ordinance to the extent that the local law is less strict than the minimum standards stated herein, or where adherence to this ordinance would result in a violation of the law of the country or jurisdiction in question, contractors will be deemed in compliance on an existing contract if they take effective actions as determined by the City and/or any monitoring entity acting on behalf of the City, to achieve full compliance with this ordinance to the extent reasonable, considering the applicable laws. [See sub. (7)(c)5. regarding nonrenewal when compliance is deemed impossible.]

- (d) Contractors shall refrain from any actions that would diminish the protections afforded by this ordinance.

(5) Bid Specifications and Pre-Award Procedures.

- (a) Contract Bid and Request-for-Proposal Specifications. A copy of this ordinance or a sufficient summary and link to the entire text shall be included in all specifications for all contracts or requests for financial assistance to which this ordinance may apply.

- (b) Bidder Disclosure Statements. Prior to an award, the City may require for each bid or proposal to which this ordinance applies under sub. (2), each bidder, proposer or potential contractor to submit disclosure statements that include the information below, to the city and/or the city's independent monitoring agency, if any, with the knowledge that this information may be disclosed to the public, subject to applicable public records law. If the pre-award disclosure reveals a violation of this ordinance or a statement that the proposed contractor will not or cannot comply with this ordinance, the City reserves the right not to award the contract to that contractor. The disclosures shall include:

1. The names, addresses, and phone numbers of each facility involved in the production of goods covered by this policy.
2. The names, business addresses, and phone numbers of the principal officers of each facility involved in the production of goods covered by this policy.
3. The base hourly wage of non-supervisory production employees, percent of wage level paid as health benefit, other benefits, regular deductions from paychecks, normal working hours per day and week, actual working hours per day and week over the last three months, and overtime policy.

4. The raw number of each type good produced in a given factory for the City.
  5. A sworn statement that each of the proposed production facilities, including any sub-contractors, complies with all requirements of this ordinance.
  6. Any other information deemed necessary by the City for the administration and enforcement of this ordinance.
- (c) Transparency. Bidders, proposers and contractors shall provide access to the City of Providence and City's independent monitoring agency, if any, to archived and contemporary inspection and monitoring reports for all facilities producing goods for the contract in question and shall require their subcontractors to allow the same access.

(6) Requirements for Contracts and other Procurement arrangements.

- (a) Mandatory Contract Language. No contract to which this Ordinance applies under subsection (2) be entered into by the City unless such contract contains the following language: "The contractor shall follow labor practices consistent with international standards of human rights, meaning that, at a minimum contractor shall adhere to the minimum employment standards found in Section \_\_\_\_ [insert section number assigned by compiler] of the Code of Ordinances of the City of Providence, and shall require all

subcontractors and third-party suppliers to do the same. For purposes of Sec. [insert number], "Subcontractor" means a person, partnership, corporation or other entity that enters into a contract with the contractor for performance of some or all of the City-contracted work and includes all third-party suppliers or producers from whom the contractor or its contractors obtains or sources goods, parts or supplies for use on the city contract and is intended to include suppliers at all level of the supply chain. The standards in Sec. [insert number] shall apply in all aspects of the contractor's and subcontractor's operations, including but not limited to, manufacture, assembly, finishing, laundering or dry cleaning, (where applicable), warehouse distribution, and delivery. Contractor acknowledges that by entering into this contract, Contractor shall be subject to all of the requirements and sanctions of Sec. [insert number] of the Code of Ordinances." All applicable contracts must also include the list of sanctions in sub. (7)(c).

- (b) Inclusion by reference in all Contracts. For purposes of carrying out the intent of this ordinance, all provisions of this section are made part of all applicable contracts for procurement under this ordinance.
- (c) Every contractor and vendor shall bind its contractors and subcontractors, in writing, to the provisions of this ordinance.

(d) Continuing Disclosure and Transparency. All contractors operating under an existing contract applicable under sub (2), shall submit quarterly sworn disclosure statements containing the information required in sub. (6)(b), to the City or its independent monitoring agency, if any. Disclosures that reveal a violation of the ordinance or statement that contractor will not or cannot comply with this ordinance may be grounds for sanction without further investigation, or may be investigated for action under this ordinance and the contract. The City and its independent monitoring organization, if any, shall have complete and unfettered access to all contractor's and subcontractor's facilities utilized under a contract to which this ordinance applies. The transparency requirements in sub. (6) above shall continue to apply to contractors under an existing contract.

(7) Monitoring and Enforcement.

(a) Complaints. Any person may complain that one or more standards of this ordinance are being violated. The City and/or any independent monitoring agency acting on behalf of the city shall receive complaints and investigate the merits of such complaints.

(b) Independent Monitoring Agency. The City may choose to contract for investigation and monitoring services with a qualified, independent monitoring agency that is not financed by the industry to which

this ordinance applies under subsection (2). The purpose of such arrangement would generally be to receive complaints and provide monitoring, inspection, investigation, and remediation services at locations that are too distant or impractical for the City to do itself. Any such services would be subject to the specific terms of any contract the City makes with the agency.

(c) Establishment of Consortium. The City shall also explore mechanisms employed by other governmental entities to ensure that businesses that contract with the City are in compliance with this section and any regulations or requirements promulgated in conformance with this section. The mechanisms explored shall include, but not be limited to:

- 1) Establishing working relationships with other public agencies that have enacted sweatfree procurement laws, and advocacy groups, labor organizations and other appropriate entities to share information regarding manufacturers, vendors, and suppliers.

- 2) Developing a sweatfree consortium with other states, cities, school boards, or public entities that allows for cost sharing of monitoring and enforcement activities by a nonprofit independent monitor.

d) Violation, Remediation and Sanctions. If the City determines there has been a violation of this ordinance,

appropriate city staffer the independent monitoring agency, if any, shall inform the contractor of the determination and discuss the violation with the contractor. The purpose of the discussion is to encourage the contractor to change its practices rather than to cease doing business with the contractor. To that end, the City may at its sole option prescribe appropriate measures for the contractor to take in order to comply with the ordinance, however nothing in this subsection shall be construed to limit the city's remedies under an existing contract or other remedies available at equity or at law. The sanctions for violating the ordinance under an existing contract are as follows and this list of sanctions shall be included in every applicable contract:

- 1) Withholding of payments under an existing contract,
- 2) Liquidated damages. The contractor may be charged liquidated damages on an existing contract of two thousand dollars (\$2,000) per violation, or an amount equaling twenty percent (20%) of the value of the apparel, garments or corresponding accessories, equipment, materials, or supplies that the City demonstrates were produced in violation of the contract and/or this ordinance per violation; whichever is greater.
- 3) Termination, suspension or cancellation of a contract in whole or in part.

- 4) Nonrenewal when a contract calls for optional renewals.

- 5) Nonrenewal for lack of progress or impossible compliance. The City reserves the right to refuse to renew a contract that calls for optional renewals, when the contractor cannot comply with the minimum standard under (4)(b) and the noncompliance is taking place in a country where:

- a. Progress toward implementation of the standards in this Ordinance is no longer being made; and
- b. Compliance with the employment standards in the Ordinance is deemed impossible by the City and/or any independent monitoring agency acting on behalf of the City. Such determination shall be made in the sole opinion of the City and may be based upon examination of reports from governmental, human rights, labor and business organizations and after consultation with the relevant contractors and subcontractors and any other evidence the City deems reliable.

6. Disqualification of the contractor from bidding or submitting proposals on future city contracts, or from eligibility for future city procurements as defined in sub. (2), whether or not formal bidding or requests for proposals are used, for a period of one (1)

year after the first violation is found and for a period of three (3) years after a second or subsequent violation is found. The disqualification shall apply to the contractor who committed the violation(s) whether that be under the same corporate name, or as an individual, or under the name of another corporation or business entity of which he or she is a member, partner, officer, or agent.

- e) Submission of False Information. Any person who has been found by the City to have submitted any false, misleading or fraudulent information to the City or its independent monitoring agency (if any), either in their request for bids or proposals or other pre-award submissions; or during the term of the contract, may be subject to any of the above sanctions.

- f) Penalty. In addition to any of the sanctions set forth elsewhere in this ordinance, any contractor or vendor or other person who violates any portion of this ordinance or fails to comply with any of its requirements shall, upon conviction hereof, be subject to a forfeiture of not less than one-hundred dollars (\$100) and not more than five hundred dollars (\$500), plus applicable costs. Each day such violation continues shall be considered a separate offense. Prosecution or imposition of a forfeiture under this paragraph shall not preclude imposition of other sanctions listed above, nor shall the imposition of such sanctions be construed as a limitation on prosecution.

- g) Nothing in this ordinance shall be construed as a limit upon any remedies at law or equity that the City may have to enforce a contractual relationship or otherwise enforce this ordinance.

- (8) Severability. The provisions of this ordinance shall be severable and if any of the provisions shall be held in contravention of the Constitution and Laws of the State of Rhode Island or of the United States by a court of competent jurisdiction, the validity of the rest of the ordinance shall not be affected. It is hereby declared to be the intent of this ordinance that the same would have been adopted had such unconstitutional or unlawful provision, if any, not been included herein.

- (9) Committee on Sweatfree Purchases.

- (a) Purpose, Duties, Responsibilities. There is hereby created a Committee on Sweatfree Purchases, for the purpose of ongoing evaluation and assistance in the application of this ordinance and the furtherance of its purpose. On an annual basis, this committee shall provide the Council with a report describing any suggested recommendations regarding the ordinance, including the feasibility of expanding the ordinance beyond its original application to apparel only as described in subsection (2). This committee is also encouraged to communicate with other units of government to encourage similar policies to further increase the

effectiveness of this ordinance in achieving its policy goals.

(b) Composition and Appointment of Members.

Three (3) appointments to be made by, and serve at the pleasure of, the City Council;

Three (3) appointments to be made by, and serve at the pleasure of, the Mayor; and

One (1) appointment to be made by, and serve at the pleasure of, the Board of Rhode Island Jobs with Justice.

- (c) Meeting Schedule. The Committee shall meet as often as necessary, but at minimum four times per year.

*Section 2.* This ordinance shall take effect upon passage.

An Ordinance in Amendment of Chapter 13 of the Code of Ordinances of the City of Providence, Rhode Island, As Amended, Entitled: "Buildings and Building Regulations."

*Be it ordained by the City of Providence:*

*Section 1.* Division 5 entitled "Minimum Residential Standards" of Article III Entitled "Minimum Property Standards" of Chapter 4 of the Revised Ordinances of the City of Providence, Rhode Island, 1998, as amended, entitled: "Buildings and Building Regulations" is hereby amended by adding thereto the following:

Sec. 4-146. Overgrown yard; weeds; leaves; brush and natural debris.

- (a) Every owner, occupant or person having the care of such residential property or dwelling shall be responsible for dwelling premises that is overgrown with grass, weeds, overgrown vegetation or underbrush, and it shall be the duty of the owner, occupant or any person having the care of such residential property to cut such grass, weeds, vegetation or underbrush to a height not exceeding six inches in order that it may be safe and convenient. Overgrown vegetation shall mean grass, weeds, and other ground cover which has been allowed to be grown in an uncontrolled manner and are not regularly cared for and maintained. The owner, occupant or any other person having the care of such residential property shall cut such grass, weeds, vegetation or underbrush within three days after receiving notice that he/she is in violation of this section from the chief inspector.

- (b) The owner or occupant of any land upon which there exists natural debris shall cause such natural debris to be removed within three days after receiving notice to do so from the Environmental Inspector. Natural debris shall mean yard clippings, leaves, branches or wood.
- (c) Whenever the owner or occupant fails to comply with an order to remove grass, weeds, overgrown vegetation, underbrush or natural debris and the city inspector

determines that such grass, weeds, overgrown vegetation, underbrush or natural debris affect the health, safety and welfare of the surrounding neighborhood by harboring rodents and mosquitoes, by increasing dumping and littering, by creating fire hazards, by creating unsightly and unsanitary debris and by impeding upon the safe passage of pedestrians along sidewalk areas, the inspector may order the removal of the grass, weeds, overgrown vegetation, underbrush or natural debris and assess the whole cost incurred for such removal by imposing a lien on the property as provided or authorized by the law for the enforcement of common liens on property. Such lien will be recorded to ensure payment of such costs. The lien will not be removed until the city inspector has been fully reimbursed for the execution of the removal of the grass, weeds, overgrown vegetation, underbrush and natural debris. The owner or occupant will also be subject to a civil penalty of \$50.00 for not complying with the order of removal.

*Section II:* This ordinance shall take effect upon second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

An Ordinance in Amendment of Article V 9/10 of Chapter 21 of the City of Providence Code of Ordinances by adding the State of Rhode Island's conflicts eligible for Veterans' Property Tax Relief.

*Be it ordained by the City of Providence:*

*Section 1.* That Chapter 21, Article V 9/10 of the Code of Ordinances of the City of Providence, Rhode Island is hereby amended as follows:

**ARTICLE V 9/10. REAL PROPERTY TAX EXEMPTION FOR FORMER PRISONERS OF WAR AND VETERANS OF ENUMERATED CONFLICTS**

**Sec. 21-128.1. Exemption granted.**

Pursuant to provisions of section 44-3-4(e) and 44-3-4.2 of the General Laws, the city assessor is hereby authorized to grant an exemption from taxation in the amount of fifteen thousand dollars (\$15,000.00) for real or personal property situated in the city and owned by any veteran of military or naval service of the United States or the unmarried widow or widower of such person as well as one who has been or who shall be classified as, or determined to be, a prisoner of war by the Veterans' Administration of the United States. As to residential real property, such exemption shall be granted upon proof of the following:

- (a) Ownership of said residential property on the date as of which the taxes are levied;
- (b) Occupancy of the said residential real property as the principal residence of the person claiming such exemption; and
- (c) That the person claiming such exemption is legally domiciled in the City of Providence.

**Sec. 21-128.2. Filing of application; qualifications.**



No person shall be entitled to the exemption herein authorized without first filing an application with the city assessor on forms furnished by the city assessor. ~~All persons granted said exemption shall be residents of the city.~~ Each application shall be sworn to by the applicant under penalty of perjury. Certification from the Veterans' Administration of the United States that such person was a prisoner of war or a veteran of one of the conflicts enumerated in section 44-3-4.2 of the General Laws shall be furnished to the city assessor by the applicant.

*Section 2.* This ordinance shall take effect upon passage.

An Ordinance Amending Article I, Section 15-2, Penalties for Traffic Violations.

*Be it ordained by the City of Providence:*

*Section 1.* The Code of Ordinances of the City of Providence is hereby amended as follows:

Sec. 15-2. Penalties for traffic violations.

- (a) *Generally.* The general penalties provided for by section 1-10 of this Code of Ordinances shall apply to violations of this chapter or any regulations made thereunder except that any person electing to appear before the clerk of court, or mailing the same, in lieu of a personal appearance before the Providence Municipal Court and admitting the violation charged, shall be punished by a fine as hereinafter respectively set forth:

### *Offense*

### *Fine*

Overtime parking from 1:00 a.m. to 7:00 a.m.*.....	\$15.00
Overtime parking from 7:00 a.m. to 1:00 a.m.....	15.00
<u>Parking without permit in a residential zone.....</u>	<u>15.00</u>
<u>Parking at expired meter.....</u>	<u>15.00</u>
Parking during an emergency.....	100.00
Parking so as to obstruct the flow of traffic .....	75.00
Parking in prohibited area (no parking).....	30.00
Parking within eight (8) feet of fire hydrant.....	30.00
Parking in loading zone .....	30.00
Parking in taxi stand.....	30.00
Parking within twenty-five (25) feet of corner.....	30.00
Parking to obstruct driveway.....	30.00
Parking on sidewalk .....	100.00
Standing in prohibited areas .....	30.00
Double parking (more than three (3) feet from curb) 30.00	
Parking in marked bus stop .....	30.00
Parking in excess of one foot, but not more than three (3) feet from curb .....	30.00
Parking with left wheels to curb .....	30.00
Angle parking .....	30.00
Parking on marked crosswalk or within intersection 30.00	
Stopping bus away from curb .....	30.00
Parking in a tow zone .....	100.00
Violation of moving vehicle traffic regulation .....	75.00

\* except in those areas designated as permit parking areas (which allow for residential permit parking only between the hours of 11 p.m. and 6 a.m.) during the pilot program to expire on June 30, 2007.

In the event any of the foregoing stated fines are not paid or a plea of not guilty to the citation is entered prior to the fourteenth day after date of violation, said fines shall be doubled.

In the event any of the foregoing stated fines are not paid or a plea of not guilty to the citation is entered subsequent to the fourteenth day and prior to the twenty-eighth day after date of violations, said fines shall be tripled.

- (b) *Meter violations.* Where overtime parking the violation shall occurs in

(a). Every city employee and official shall fulfill conscientiously, according to the Providence Home Rule Charter, the Code of Ordinances of the City of

Providence and applicable laws, the duties of the city office or position conferred upon or held by him or her and shall prove himself or herself in his or her behavior inside and outside said office or position worthy of the esteem which his or her profession requires. In all official activity, each employee of the City of Providence shall pursue the common good, and not only be impartial but so act as not to endanger his impartiality nor to give occasion for distrust of his impartiality. The following code of ethics shall apply to all employees of the City of Providence:

- (1) No city employee shall, while serving as such, have any financial interest, or engage in any employment, or incur any obligation which is in direct conflict with the proper discharge of his duties or employment with the City of Providence.
- (2) No city employee shall accept any other employment which will impair his independence of judgment as to his official duties or employment with or for the City of Providence or require him to disclose confidential information acquired by him in the course of and by reason of his official duties.
- (3) No city employee shall wilfully and knowingly disclose, for pecuniary gain, to any person, confidential information acquired

in the course of and by reason of his official duties.

- (4) No city employee shall use his public office or confidential information received through his public office to obtain financial gain, other than that provided by law, for such employee or his spouse (if not estranged) or any dependent child or any business in which he or she has a financial interest.
- (5) No city employee unless otherwise provided by law shall represent himself self to any other person or perform services for any other person or act as an expert witness before any city board, commission, agency or department of which such employee is a member or is employed or engaged, except in the performance of his official duties.
- (6) No city employee and no spouse (if not estranged) or any dependent child of a city employee or any business entity in which said city employee, spouse (if not estranged) or child of such person has a ten (10) per cent or greater equity interest or five thousand dollars (\$5,000.00) or greater cash value interest shall enter into any contract with any city board, commission, agency or department of which said person is a member or is employed unless the contract has been awarded through an

open and public process, including prior public notice and subsequent public disclosure of all proposals considered in contracts awarded; provided, however, that contracts for professional services which have been customarily awarded without competitive bidding shall not be subject to competitive bidding.

- (7) No city employee shall employ anyone with public funds who does not perform tasks which contribute substantially to the work of the government of the City of Providence and which are commensurate with the compensation received.
- (8) No full-time city employee shall engage in any outside business or activity during, regular business hours of his city position. All city employees are assumed to be full time, unless their personnel record indicates otherwise.
- (9) No city employee shall commit any of the actions described in Section 1206(b) of the Providence Home Rule Charter.
- (10) For the purposes of this section, the term "city employee" shall mean all full- and part-time employees in the employ of the city or any agency, board or commission of the city, including without limitation the Providence Redevelopment Agency, the Providence Water

Supply Board, the mayor's office of community development and any future city department, agency, board or commission regardless of the source of funding of such entity, all individuals serving in appointed city positions and all employees of public and quasipublic city boards, commissions and corporations and all officers of the city as defined in Section 1207 of the Providence Home Rule Charter, ~~excluding employees and officers subject to Chapter 36-14 of the General Laws.~~

- (b) Suspension or dismissal. Upon indictment, information or complaint and/or arraignment for a felony directly related to his employment, any city employee shall be suspended with or without pay, or transferred to another position. Upon conviction of a felony related to his employment, a city employee shall be dismissed immediately.
- (c) Report of testimonial proceeds intended for personal use. Within ninety (90) days from the date of a testimonial affair which was intended to raise funds for the personal use of a person who is a city employee, said city employee or a duly authorized designee shall make a full report to the city clerk, upon a form to be provided by the city clerk setting forth the net proceeds realized by the testimonial affair and the names and addresses of each contribution of in excess of one hundred dollars (\$100.00) to the affair and the amount contributed

by each. The person making said report shall certify to its correctness.

The city employee shall be responsible for maintaining accurate financial records of the testimonial affair and for filing the aforementioned report unless he or she files with the city clerk, prior to the affair, a statement designating another person whose responsibility it will be to maintain those records and to file said report.

**COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Ordinances the Second Time, seconded by COUNCILWOMAN**

**WILLIAMS, by the Following Roll Call Vote:**

**AYES: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, BUTLER, COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS and YOUNG - 12.**

**NAYES: NONE.**

**ABSENT: COUNCILMAN ALLEN, DeLUCA and LUNA - 3.**

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

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## PRESENTATION OF RESOLUTIONS

**COUNCIL PRESIDENT LOMBARDI, COUNCILMEN ALLEN, APONTE, BUTLER, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS and YOUNG:**

Resolution Celebrating Municipal Clerk's Week, April 30, 2006 through May 6, 2006.

*Whereas*, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

*Whereas*, The Office of the Municipal Clerk is the oldest among public servants; and

*Whereas*, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

*Whereas*, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

*Whereas*, The Municipal Clerk serves as the information center on functions of local government and community; and

*Whereas*, Municipal Clerks continually strive to improve the administration of the affairs of the Office of Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations; and

*Whereas*, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

*Now, therefore, be it resolved*, That the week of April 30, 2006 through May 6, 2006, be recognized as Municipal Clerk's Week, and further extend appreciation to our Municipal Clerk, Anna M. Stetson, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

**Read and Passed, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.**

**The Motion for Passage is Sustained.**

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**COUNCIL PRESIDENT LOMBARDI (By Request):**

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2006-H 7280, Relating to Statutes and Statutory Construction Publication and Distribution of Acts.

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Resolution Urging Passage by the Rhode Island General Assembly of the Housing Works Rhode Island Legislative Platform. (affordable housing)

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Resolution Requesting the Establishment of a Joint Pension Review Committee to include representatives of the Governor, General Treasurer, General Assembly and

municipal government, relative to pension benefit reform.

**COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI Refers the Several Resolutions to the Committee On State Legislation.**

**COUNCILMEN ALLEN, APONTE, BUTLER, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS and YOUNG:**

Resolution Extending Sincere Best Wishes for a Happy Birthday to Council President John J. Lombardi on April 30, 2006.

*Resolved,* That the Members of the Providence City Council hereby Extend Sincere Best Wishes for a Happy Birthday to Council President John J. Lombardi on April 30, 2006.

**Read and Passed, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.**

**The Motion for Passage is Sustained.**

**COUNCILMAN APONTE and COUNCILMAN HASSETT (By Request):**

Resolution Requesting the transfer of property located on Assessor's Plat 23, Lot 111 (402 Pine Street), to the Providence Redevelopment Agency, and the abatement

of all outstanding taxes and any taxes which will accrue while in PRA ownership.

**COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Finance.**

**COUNCILMEN MANCINI, BUTLER, COUNCIL PRESIDENT LOMBARDI, COUNCILMEN ALLEN, APONTE, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, LUNA, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS and YOUNG:**

Resolution Extending Sincere Best Wishes to Raymond Dettore, upon his retirement after 27 years of dedicated service to the City of Providence.

*Resolved,* That the Members of the Providence City Council hereby Extend Sincere Best Wishes to Raymond Dettore, upon his retirement after 27 years of dedicated service to the City of Providence.

**Read and Passed, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.**

**The Motion for Passage is Sustained.**

**COUNCILMAN MANCINI (By Request):**

Resolution Requesting the Traffic Engineer to receive Addeo Street as a public way.

**COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Public Works.**

## REPORTS FROM COMMITTEE

### COMMITTEE ON FINANCE

#### COUNCILMAN KEVIN JACKSON, Chairman

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

An Ordinance Relative to Public Oversight of Public Funds.

May 4, 2006, seconded by COUNCILWOMAN WILLIAMS.

**COUNCILMAN APONTE Moves to Lay the Ordinance on the Clerk's Desk until**

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

Resolution Requesting to cancel or abate in whole, the taxes assessed upon Assessor's Plat 31, Lot 14 (167 Harrison Street) and Assessor's Plat 31, Lot 42 (178 Dexter Street), in accordance with Rhode Island General Law 44-7-23, in the amount of Ninety Five Thousand Three Hundred Forty Six Dollars and Eight (\$95,346.08) Cents, for the years 1997, 1998, 1999, 2000, 2001, 2002 and 2005, plus any interest accrued, as requested by the Saint Charles Borromeo Church.

*Resolved,* That the taxes assessed upon Assessor's Plat 31, Lot 14 (167 Harrison Street) and Assessor's Plat 31, Lot 42 (178 Dexter Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law 44-7-23, in the amount of Ninety Five Thousand Three Hundred Forty

Six Dollars and Eight (\$95,346.08) Cents, for the years 1997, 1998, 1999, 2000, 2001, 2002 and 2005, plus any interest accrued, as requested by the Saint Charles Borromeo Church.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 114, Lot 451 (2 Buttonhole Drive), in accordance with Rhode Island General Law 44-7-23, in the amount of Seven Hundred Sixty Two Dollars and Fifteen (\$762.15) Cents, for the year 2005, plus any taxes and interest accrued, as requested by the Golf Foundation of Rhode Island (Buttonhole).

*Resolved,* That taxes assessed upon Assessor's Plat 114, Lot 451 (2 Buttonhole Drive), are hereby cancelled or abated, in



whole, in accordance with Rhode Island General Law 44-7-23, in the amount of Seven Hundred Sixty Two Dollars and Fifteen (\$762.15) Cents, for the year 2005, plus any taxes and interest accrued, as requested by the Golf Foundation of Rhode Island (Buttonhole).

---

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor Plat 113, Lot 25 (85 Kinfield Street), in accordance with Rhode Island General Law 44-7-23, in the amount of Five Hundred Forty One Dollars and Twenty (\$541.20) Cents, for the year 2005, plus any taxes and interest accrued, as requested by the Golf Foundation of Rhode Island (Buttonhole).

*Resolved*, That the taxes assessed upon Assessor Plat 113, Lot 25 (85 Kinfield Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law 44-7-23, in the amount of Five Hundred Forty One Dollars and Twenty (\$541.20) Cents, for the year 2005, plus any taxes and interest accrued, as requested by the Golf Foundation of Rhode Island (Buttonhole).

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Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 114, Lot 246 (108 Kinfield Street), in accordance with Rhode Island General Law 44-7-23, in the amount of One Hundred Ninety Four Dollars and Sixty Four (\$194.64) Cents, for the year 2005, plus any taxes and interest accrued, as requested by the Golf Foundation of Rhode Island (Buttonhole).

*Resolved*, That the taxes assessed upon Assessor's Plat 114, Lot 246 (108 Kinfield Street), are hereby cancelled or abated, in

whole, in accordance with Rhode Island General Law 44-7-23, in the amount of One Hundred Ninety Four Dollars and Sixty Four (\$194.64) Cents, for the year 2005, plus any taxes and interest accrued, as requested by the Golf Foundation of Rhode Island (Buttonhole).

---

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 113, Lot 78 (194 Ophelia Street), in accordance with Rhode Island General Law 44-7-23, in the amount of Four Hundred Sixty Two Dollars and Fifty Four (\$462.54) Cents, for the year 2005, plus any taxes and interest accrued, as requested by the Golf Foundation of Rhode Island (Buttonhole).

*Resolved*, That the taxes assessed upon Assessor's Plat 113, Lot 78 (194 Ophelia Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law 44-7-23, in the amount of Four Hundred Sixty Two Dollars and Fifty Four (\$462.54) Cents, for the year 2005, plus any taxes and interest accrued, as requested by the Golf Foundation of Rhode Island (Buttonhole).

---

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 113, Lot 79 (198 Ophelia Street), in accordance with Rhode Island General Law 44-7-23, in the amount of Five Hundred Thirty Dollars and Seventy Three (\$530.73) Cents, for the year 2005, plus any taxes and interest accrued, as requested by the Golf Foundation of Rhode Island (Buttonhole).

*Resolved*, That the taxes assessed upon Assessor's Plat 113, Lot 79 (198 Ophelia Street), are hereby cancelled or abated, in

whole, in accordance with Rhode Island General Law 44-7-23, in the amount of Five Hundred Thirty Dollars and Seventy Three (\$530.73) Cents, for the year 2005, plus any taxes and interest accrued, as requested by the Golf Foundation of Rhode Island (Buttonhole).

---

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 113, Lot 308 (199 Ophelia Street), in accordance with Rhode Island General Law 44-7-23, in the amount of One Thousand Nine Hundred Ninety Eight Dollars and Sixty Nine (\$1,998.69) Cents, for the year 2005, plus any taxes and interest accrued, as requested by the Golf Foundation of Rhode Island (Buttonhole).

*Resolved*, That the taxes assessed upon Assessor's Plat 113, Lot 308 (199 Ophelia Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law 44-7-23, in the amount of One Thousand Nine Hundred Ninety Eight Dollars and Sixty Nine (\$1,998.69) Cents, for the year 2005, plus any taxes and interest accrued, as requested by the Golf Foundation of Rhode Island (Buttonhole).

**COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, seconded by COUNCILWOMAN WILLIAMS, by the Following Roll Call Vote:**

**AYES: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, BUTLER, COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL,**

**COUNCILWOMEN WILLIAMS and YOUNG - 12.**

**NAYES: NONE.**

**ABSENT: COUNCILMAN ALLEN, DeLUCA and LUNA - 3.**

**The Motion for Passage of the Several Resolutions is Sustained.**

---

Communication from His Honor the Mayor dated March 29, 2006, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 415 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Wallace R. Demary, Jr., of 56 Wingate Road, Providence, Rhode Island 02906 as a member of the Salary Review Commission for a term to expire in January 2007, and respectfully submits the same for approval. (Mr. Demary will replace Ms. Sarah Dowling whose term has expired)

---

Communication from His Honor the Mayor dated March 29, 2006, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1009 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Mr. John Kelly of 21 Parkside Drive, Providence, Rhode Island 02910, as Chairman of the Zoning Board of Review for a term to expire in January 2011, and respectfully submits the same for approval. (Mr. Kelly will replace Ms. Sandra Carlson, whose term has expired)

---

Communication from His Honor the Mayor dated March 29, 2006, Informing the Honorable Members of the City Council that

pursuant to Sections 302(b) and 1013 of the Providence Home Rule Charter of 1980, as amended, he is this day re-appointing Mr. Samuel Limiadi of 186 Lexington Avenue,

Providence, Rhode Island 02907, as a member of the City Plan Commission for a term to expire in January 2011, and respectfully submits the same for approval.

March 29, 2006

The Honorable Members  
The City Council of the  
City of Providence  
City Hall  
Providence, Rhode Island 02903

Dear Honorable Members:

Pursuant to Sections 302(b) and 1013 of the Providence Home Rule Charter of 1980, as amended, I am this day reappointing Mr. Samuel Limiadi of 186 Lexington Avenue, Providence, Rhode Island 02907, a member of the City Plan Commission for a term to expire in January, 2011, and respectfully submit the same for your approval.

Sincerely,



David N. Cicilline  
Mayor, City of Providence

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Communication from His Honor the Mayor dated March 29, 2006, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 814 of the Providence Home Rule Charter of 1980, as amended, he is this day re-appointing Nita

Shah, of 10 Brookway Road, Providence, Rhode Island 02906, as a member of the Board of Tax Assessment and Review for a term to expire in January 2009; and respectfully submits the same for approval. (Ms. Shah is registered as unaffiliated)

March 29, 2006

The Honorable Members  
The City Council of the  
City of Providence  
City Hall  
Providence, Rhode Island 02903

Dear Honorable Members:

Pursuant to Sections 302(b) and 814 of the Providence Home Rule Charter of 1980, as amended, I am this day reappointing Nita Shah, of 10 Brookway Road, Providence, Rhode Island 02906, a member of the Board of Tax Assessment and Review for a term to expire in January 2009, and respectfully submit the same for your approval.

Ms. Shah is registered as unaffiliated.

Sincerely,



David N. Cicilline  
Mayor, City of Providence

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Communication from His Honor the Mayor dated March 29, 2006, 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, his is this day re-appointing Sister Ann Keefe of 100 Lexington Avenue, Providence, Rhode Island 02907, as a member of the Human Relations Commission for a term to expire in January 2009, and respectfully submits the same for your approval.

**COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters, seconded by COUNCILMAN BUTLER.**

**COUNCIL PRESIDENT LOMBARDI Receives and Approves the Several Communications.**

---

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

Communication from His Honor the Mayor dated March 29, 2006, 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, he is this day appointing Ms. Joan Gelch of 83 Loring Avenue, Providence, Rhode Island 02906, as a member of the Human Relations Commission for a term to expire in January 2009, and respectfully submits the same for your approval. (Ms.

Gelch will fill an existing vacancy on the board)

**COUNCILMAN APONTE Moves to Deny the foregoing resolution, seconded by COUNCILWOMAN WILLIAMS.**

**Motion is Approved.**

---

## COMMUNICATIONS AND REPORTS

Communication from Mayor David N. Cicilline, dated April 4, 2006, Informing the City Clerk that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended, and Section 2-14-2 of the Rhode Island General Law, his is this day designating Providence City Forester Douglas Still as Tree Warden.

---

Report from Anna M. Stetson, City Clerk, dated April 7, 2006, of all moneys received, transmitted to and credited by the City Collector for fiscal quarter of January 1, 2006 to and including March 31, 2006.

**COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI  
Receives the foregoing Communication  
and Report.**

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Communication from Joyce Cardono. P.O.  
Box 40190, Providence, RI 02904, dated  
March 10, 2006, requesting to purchase city

property located on Assessor's Plat 23, Lot  
356 (25 Bough Street).

**COUNCIL PRESIDENT LOMBARDI  
Refers the Communication to the  
Committee on City Property.**

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## FROM THE CLERK'S DESK

Petition from Armando G. Ricci, 19 Lily Street,  
Providence, RI 02909, requesting to abandon  
property off of Spruce Street, at the corner of Lily  
Street, between the existing concrete sidewalk on  
Assessor's Plat 23, Lot 551.

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Petition from Joseph Agresta, Principal,  
Surveying and Mapping Consultants, 170  
Forbes Road, Suite 207, Braintree MA 02184,  
requesting an easement to place a  
telecommunications conduit within the public  
right-of-way of Finance Way (formerly  
American Express Plaza).

**COUNCILMAN APONTE Moves to  
Dispense with the Reading of the  
foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI  
Refers the foregoing Petitions to the  
Committee on Public Works.**

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**Petitions for Compensation for  
Injuries and Damages, viz:**

The Premier Insurance Company  
a/s/o Jared Bouthiller

John Pagan  
(G. Eben Milne, Esquire)

Allison Contillo

Amica Mutual Insurance Company  
a/s/o Lorraine J. Spooner

Eugene Goldenberg

Erin Schroth

Marilyn Chalifoux

EMC Insurance Companies  
a/s/o Adam and Joanna Chadobski

Angel Lee Sanchez

Elizabeth Morel  
(Robert A. D'Amico, II, Esquire)

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

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## **PRESENTATION OF RESOLUTIONS**

**"In Congratulations"**

**COUNCIL PRESIDENT LOMBARDI and  
the MEMBERS OF THE CITY  
COUNCIL:**

**Resolution Extending Congratulations.**

*Resolved,* That the Members of the City Council hereby Extend their Sincere Congratulations to the following:

Wayne Montague, in recognition of receiving the 2006 Scholar Athlete Award for his athletic ability and outstanding academic achievement. Congratulations best wishes for continued success.

Brandford Davis, in recognition of receiving the 2006 Scholar Athlete Award for his athletic ability and outstanding academic achievement. Congratulations best wishes for continued success.

Robert L. Ricci, in recognition, of the celebration of the happy occasion of his 50<sup>th</sup> birthday, born April 25, 1956.

**Severally Read and Collectively  
Passed, on Motion of COUNCILMAN  
APONTE, seconded by COUNCILWOMAN  
WILLIAMS.**

**The Motion for Passage is Sustained.**

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## PRESENTATION OF RESOLUTIONS

### "In Memoriam"

**COUNCIL PRESIDENT LOMBARDI and  
the MEMBERS OF THE CITY COUNCIL:**

Resolution Extending Sympathy.

*Resolved*, That the Members of the  
Providence City Council hereby Extend their  
sympathy to the families of the following:

Julia A. "Judy" Guglielmo

Maria T. "Teresa" Ciorlano

Charles "Chuck" Haroian

Marie Coia

Paul A. Leonardo, Jr.

Clarence J. "Clay" Osborne, Jr.

Ann M. Arage

Anna DelSanto

Eileen F. Rosenberg-Black

George Miller

Simon Rosen

James O'Reilly

David Arthur Magno

John Joseph Lamantia

**Severally Read and Collectively  
Passed, by a Unanimous Rising Vote, on  
Motion of COUNCILMAN APONTE,  
seconded by COUNCILWOMAN  
WILLIAMS.**

**The Motion for Passage is Sustained.**

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## **MATTERS NOT APPEARING ON THE PRINTED DOCKET**

**On motion of COUNCILMAN APONTE,  
seconded by COUNCILWOMAN WILLIAMS,  
it is voted to Suspend Rule 16-B of the  
City Council Rules in order to allow the  
introduction of the Following Matters  
Not Appearing on the Printed Docket.**

## **PRESENTATION OF ORDINANCES**

### **COUNCILMAN APONTE:**

An Ordinance in Amendment of Chapter 2005-35, Approved July 27, 2005, Establishing an Appropriation Plan for the City of Providence.

**COUNCIL PRESIDENT LOMBARDI  
Refers the Ordinance to the Committee  
on Finance.**

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### **COUNCILMAN IGLIOZZI and COUN- CILMAN HASSETT:**

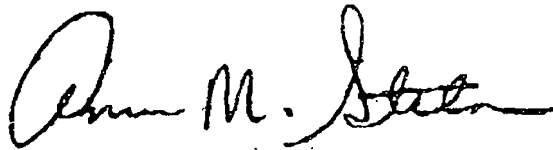
An Ordinance in Amendment of Section 17-33 of the Code of Ordinances Entitled: "Standard of Conduct of Employees."

**COUNCIL PRESIDENT LOMBARDI  
Refers the Ordinance to the Committee  
on Ordinances.**

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## ADJOURNMENT

There being no further business, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 8:10 o'clock P.M. (E.D.T.), to meet again on THURSDAY, MAY 4, 2006 at 7:30 o'clock P.M. (E.D.T.).



ANNA M. STETSON  
CITY CLERK





