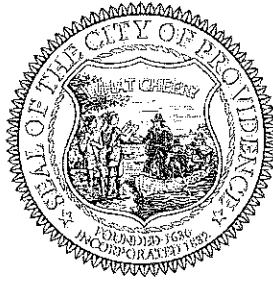


**CITY OF PROVIDENCE  
RHODE ISLAND**



**CITY COUNCIL**

**JOURNAL OF PROCEEDINGS**

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**No. 34 City Council Regular Council Meeting, Thursday, November 16, 2017, 7:00 o'clock P.M.**

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**PRESIDING**

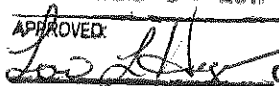
**ACTING COUNCIL PRESIDENT**

**SABINA MATOS**

**CALL TO ORDER**

**PRESENT: ACTING COUNCIL PRESIDENT MATOS, COUNCILMAN APONTE, COUNCILWOMAN CASTILLO, COUNCILMAN CORREIA, COUNCILWOMAN HARRIS, COUNCILMEN HASSETT, IGLIOZZI, JENNINGS, COUNCILWOMAN LAFORTUNE, COUNCILMEN NARDUCCI, PRINCIPE, COUNCILWOMAN RYAN, COUNCILMEN SALVATORE, YURDIN AND ZURIER - 15.**

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

**IN CITY COUNCIL  
DEC 07 2017**  
**APPROVED:**  **CLERK**

## **ROLL CALL**

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## **INVOCATION**

The Invocation is given by **COUNCILWOMAN MARY KAY HARRIS**.

**"Let us Pray. Heavenly Father, as we approach You tonight Lord, before Your throne, we are asking for so much. We're asking for the peace as this holiday season comes about, Lord. We ask that You bless people one by one and name by name. We ask that You bless families Lord and keep them safe because we know in this time Lord there are many people who will not be sitting down for a family meal, but we ask You, Father, one way or another to find someone kind, find someone that will reach out to that person and welcome them in a time of Thanksgiving. Father, we are so thankful for so many things. We are thankful for being able to stand in the position that we are in today as city officials and being able to make decisions, Lord, about what is Your work and things that You want us to do. Lord, we ask You to bless each and every one of us, and Father we are very thankful for the celebration that we have tonight, Lord. We welcome and appreciate, Lord, the celebration of all flags in this country, Lord. We celebrate each other as a people, Lord, and we thank You for allowing us to be here tonight and celebrate that in Thanksgiving. Father, the Ashe Family is here tonight, I ask You to bless them, Lord, and bless their hearts. Right now they are suffering from the loss of their son, but Lord we do know that love changes so many things and we ask You to draw people around them with a heart of love, and we ask You to bless each and every person in this room tonight, Lord, in Your name, I pray in Jesus name. Amen."**

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## **PLEDGE OF ALLEGIANCE**

**COUNCILMAN TERRENCE M. HASSETT** Leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

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## APPROVAL OF MINUTES

Journal of Proceedings No. 33 of the Regular Meeting of the City Council held November 2, 2017, are approved as printed, on motion of **COUNCILMAN PRINCIPE**, Seconded by **COUNCILMAN CORREIA**.

<b>RESULT:</b>	<b>APPROVED (WITH VOTE) [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Principe
<b>SECONDER:</b>	Councilman Correia
<b>AYES:</b>	Acting Council President Matos, Councilman Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Hassett, Igliozi, Jennings, Councilwoman LaFortune, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 15.

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## APPOINTMENT BY ACTING COUNCIL PRESIDENT MATOS

Communication from Acting Council President Matos, dated November 9, 2017, Informing the City Clerk of her appointment of **Ashley Belanger** of 879 Hope Street, Providence, Rhode Island 02906, as a member of the **Juvenile Hearing Board**, for a term to expire on December 31, 2018. (Ms. Belanger fills the unexpired term of Jeffrey Angelo who has resigned.)

**ACTING COUNCIL PRESIDENT MATOS** Receives the foregoing **Communication**.

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

**The Following Ordinances were in City Council November 2, 2017, Read and Passed the First Time and are Severally Returned for Passage the Second Time:**

### **COUNCILMAN PRINCIPE, (By Request):**

An Ordinance Relating to Article IV, Chapter 17, Section 17-192(F) of the Code of Ordinances (Disability Waiver Request).

SECTION 1. Notwithstanding the language of Section 17-192(F) of the Code of Ordinances which provides that the application to accomplish such [accidental disability] retirement must be filed within eighteen (18) months of the date of the accident, the Retirement Board of the City of Providence, shall consider and act upon the accidental disability retirement application of Kevin Broccoli, even though more than eighteen (18) months have passed since the date of the accident which is the averred proximate cause of the above-named applicant for a disability retirement allowance.

SECTION 2. Said application shall be subject to and considered in accordance with all other applicable ordinances, regulations, standards and practices relating to accidental disability retirement applications.

SECTION 3. This Ordinance shall take effect upon its passage.

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### **COUNCILMAN APONTE, (By Request):**

An Ordinance Establishing a Tax Exemption and Stabilization Plan for the Aspen Group, Inc., for 220 Blackstone Street and 220 Blackstone Street Rear.

**WHEREAS**, The Aspen Group, Inc. will be the owner of certain real property known as 220 Blackstone Street and 220 Blackstone Street Rear, in Providence, Rhode Island, located at Assessor's Plat 45, Lots 85, 797 & 833; and

**WHEREAS**, The Aspen Group, Inc. has proposed and committed to construct two (2) 50,000 square foot structures on the property thereby redeveloping approximately 100,000 square feet of commercial space to be used as professional offices, medical offices, and other uses as permitted under the City zoning ordinances, thus returning the property to productive commercial use in accordance with the construction plans already submitted to the City by The Aspen Group, Inc.; and

**WHEREAS**, Under Article 13, Section 5 of the Rhode Island Constitution, the General Assembly retains exclusive power over matters relating to municipal taxation. Notwithstanding, and pursuant to Rhode Island General Laws § 44-3-9, the General Assembly has authorized the City of Providence, acting through its City Council and subject to certain enumerated conditions, to exempt or determine a stabilized amount of taxes to be paid on account of real and personal property for a period not to exceed twenty (20) years; and

**WHEREAS**, Pursuant to the Providence Code of Ordinances, as amended, specifically Chapter 21, Article VIII, Section 21-169, the granting of the tax stabilization will inure to the benefit of the City of Providence and its residents by reason of:

- (A) The willingness of The Aspen Group, Inc. to relocate its commercial concern to the City of Providence; and
- (B) The willingness of The Aspen Group, Inc. to replace the existing buildings and facilities that were located on the property prior, thereby increasing the tax base of the City of Providence; and
- (C) The willingness of The Aspen Group, Inc. to construct two (2) new 50,000 square foot buildings/facilities on the property, thereby increasing employment opportunities in the City of Providence.

**NOW, THEREFORE**, in consideration of the mutual agreements and promises set forth herein and other good and lawful consideration the receipt of which is hereby acknowledged, the parties agree as follows:

#### SECTION 1. DEFINITIONS.

“Property” shall mean certain real property together with any and all buildings, structures, and/or improvements now or in the future at 220 Blackstone Street and 220 Blackstone Street Rear, in Providence, Rhode Island, located at Assessor’s Plat 45, Lots 85, 797 & 833.

“Property Owner” shall mean The Aspen Group, Inc., or any entity with legal or equitable right and/or interest in and/or to the Property, including any and all successors and assigns. For purposes of this agreement, The Aspen Group, Inc. shall mean The Aspen Group, Inc. or entity taking title to the Property in which The Aspen Group, Inc. has an ownership interest in or control over.

“Agreement/Ordinance” shall mean this instrument and the two words shall be used interchangeably to refer to the mutually-agreed upon provisions contained herein which bind both the City as well as the Property Owner as it is defined above.

#### SECTION 2. TAX STABILIZATION.

Section 2.1. Grant. The City, in accordance with R.I.G.L. § 44-3-9 and the City of Providence Code of Ordinances, does hereby grant an twenty (20) year tax stabilization in favor of the Property Owner with respect to the Property.

Section 2.2. Term. The tax stabilization term shall be the period commencing on the date on which The Aspen Group, Inc. acquires title to the Property (hereinafter the “Commencement Date”) and terminating twenty years after the Commencement Date (hereinafter the “Termination Date”). (Total of Twenty (20) Tax Years).

Section 2.3. Plan. During the tax stabilization term as defined in Section 2.2 above, the City has determined the stabilized amount of taxes to be paid by the Property Owner with respect to the Property, notwithstanding the valuation of the Property or the then-current rate of tax as follows: Subject to the provisions of Section 2.3.a., for the first three (3) tax years, the Property Owner shall make a tax payment equal to Zero dollars (\$0.00). For the subsequent five (5) tax years, the Base Assessment shall be defined as \$2,050,000.00; and the Property Owner shall make a tax payment equal to Eighty Five Thousand Nine Hundred Eighty-Three and XX/100 dollars (\$85,983.00). For the remaining twelve (12) tax years thereafter, the Property Owner will pay the Base Assessment Tax (Base Assessment multiplied by \$36.70 per \$1000 in assessment value) plus a percentage of the taxes due and owing on the difference between the Base Assessment and then-current assessed value of the Property multiplied by the then-current rate plus Ten Thousand Seven Hundred Forty-Eight and XX/100 Dollars (\$10,748.00) (the "Recapture Payment"). See "Tax Stabilization Plan" incorporated herein as if fully reproduced and attached hereto and as Exhibit A.

Section 2.4. Payment Deadlines. During the tax stabilization term as defined in Section 2.2 above and in accordance with the tax stabilization plan outlined in Section 2.3 above, stabilized tax payments shall be made in either a lump sum during the first quarter of the applicable tax year or in equal quarterly installments at the discretion of the Property Owner. If the Property Owner elects to make quarterly installments, each quarterly installment shall be due on the same date that quarterly taxes are due for all other taxpayers in the City of Providence.

Section 2.5. Obligation of Property Owner to Make Payment. During the tax stabilization term as defined in Section 2.2 above and in accordance with the tax stabilization plan outlined in Section 2.3 above, stabilized tax payments shall be an obligation of the Property Owner.

Section 2.6. Non-Receipt of Stabilized Tax Bill. Failure by the City to send or failure by the Property Owner to receive a stabilized tax bill does not excuse the nonpayment of the stabilized tax nor affect its validity or any action or proceeding for the collection of the tax in accordance with this Agreement or otherwise.

Section 2.7. Recording of Ordinance, Running with Land. Upon the passage of this Ordinance, the Property Owner shall cause this Ordinance to be recorded at its expense in the City's official public land evidence records. This recording shall be construed to provide a complete additional alternative method under contract law for the securitization of payments due and owing under this Ordinance and shall be regarded as supplemental and in addition to the powers conferred by other state and local laws.

### SECTION 3. PERFORMANCE OBLIGATIONS.

#### Section 3.1. Commencement of Performance.

Rehabilitation and/or construction of any structures on the Property shall commence and be completed as provided for in the Purchase and Sale Agreement dated February 19, 2016 between the Providence Redevelopment Authority and The Aspen Group, Inc. (the P&S).

Section 3.2. Permits and Certificates of Occupancy.

Property Owner shall obtain all permits and certificates of occupancy as required by state and local law in connection with any and all intended construction or rehabilitation at the Property.

SECTION 4. TRANSFER OF THE PROPERTY.

Section 4.1. Transfer Generally. Transfers of the Property, or any interest therein, of the Property Owner, or any interest therein shall be done in accordance with the terms of the purchase and sales agreement executed by and between The Providence Redevelopment Agency and The Aspen Group, Inc. dated February 19, 2016 and approved and ratified by the Providence City Council on May 19, 2016, the approved bargain and sales deed, or the exhibits incorporated into either document (hereinafter collectively the "purchase and sales agreement"). The terms of this Tax Stabilization Agreement shall in no way be effected by any transfer contemplated by said purchase and sales agreement and the tax payments due hereunder shall continue to be due and owing in accordance with the terms of this Agreement regardless of ownership of the Property or the Property Owner.

Section 4.3. Post-Expiration Transfers. In so far as the purchase and sales agreement does not contemplate or provide guidance for transfers which may occur after a certificate of occupancy is issued to the Property, in the event that any Property Owner transfers the Property to a tax-exempt entity within five years from the end of the tax stabilization term, as defined in Section 2.2 above, any and all Property Owners will pay the following: five percent (5%) of the sale price in said transfer if sold to a tax-exempt entity in the first year following the end of the Term; four percent (4%) of the sale price in said transfer if sold to a tax-exempt entity in the second year following the end of the Term; three percent (3%) of the sale price in said transfer if sold to a tax-exempt entity in the third year following the end of the Term; two percent (2%) of the sale price in said transfer if sold to a tax-exempt entity in the fourth year following the end of the Term; and one percent (1%) of the sale price in said transfer if sold to a tax-exempt entity in the fifth year following the end of the Term.

SECTION 5. FURTHER ASSURANCES.

Section 5.1. MBE/WBE. Where found to be applicable and for any of the terms of the stabilization period as defined in Section 4.A. above, the Property Owner afforded the stabilization of taxes as described herein shall use good faith efforts to comply with any and all requirements under Chapter 21 Article II Section 52 of the Providence Code of Ordinances as it pertains to Minority and Women Business Enterprises.

Section 5.2. Internal Revenue Service reporting. Except as provided under R.I.G.L. § 28-42-8, any person performing services at the Property shall annually receive either a W-2 statement or an IRS Form 1099.

Section 5.3. First Source. Where found to be applicable and for the term of the stabilization period as defined in Section 2.2 above, the Property Owner afforded the stabilization of taxes as described herein shall enter into a First Source Agreement with the Director of First Source Providence in accordance with Chapter 21 Article III1/2 of the Providence Code of Ordinances

Section 5.4. "Buy Providence" Initiative. Where found to be applicable and for the term of the stabilization period as defined in Section 2.2 above, the Property Owner afforded the stabilization of taxes as described herein shall make a good faith effort to ensure that any and all materials necessary to carry out the projects afforded the stabilization found in Section 2.3 above are purchased from economically competitive and qualified vendors located in the City of Providence, to the extent such materials can be purchased in the City of Providence.

Section 5.5. Apprenticeship. The Property Owner shall use good faith efforts to ensure that one hundred percent (100%) of the hours worked on the project shall be performed by contractors who have or are affiliated with an apprenticeship program as defined in 29 C.F.R. § 29 et seq. Up to twenty (20) percent of the hourly requirement may be waived if replaced with hours worked by qualified MBE/WBE companies registered in the State of Rhode Island. Certification of this waiver shall be reviewed and signed by the designated MBE/WBE coordinator within the department of purchasing. The Property Owner shall make a requirement in the contracts between its construction manager and general contractor and their subcontractors who have apprenticeship programs as defined in 29 C.F.R. § 29 that not less than ten (10) percent of the total hours worked by the subcontractors' employees on the project are completed by apprentices registered in the aforementioned apprenticeship programs.

The Property Owner shall as part of its contracts between its construction manager and general contractor and their subcontractors require that the subcontractors submit to the department of planning and development quarterly verification reports to ensure compliance with this section.

The Property Owner, its construction manager or general contractor or other authorized person/entity may petition the city department of planning and development to adjust the apprenticeship work hour requirements to a lower percentage upon a showing that:

- a. Compliance is not feasible because a trade or field does not have an apprenticeship program or cannot produce members from its program capable of performing the scope of work within the contract; or
- b. Compliance is not feasible because it would involve a risk or danger to human health and safety or the public at large; or
- c. Compliance is not feasible because it would create a significant economic hardship; or
- d. Compliance is not feasible for any other reason which is justifiable and demonstrates good cause.



## SECTION 6. DEFAULT.

Section 6.1. Default. The following events shall constitute an event of default hereunder:

- (A) Failure of the Property Owner to pay any amount due under or with respect to the tax stabilization in accordance with Section 2 above; or
- (B) Failure of the Property Owner to record this Agreement as required by and in accordance with Section 2 above; or
- (C) Failure of the Property Owner to meet any of the performance obligations set forth in Section 3 above; or
- (D) Failure of the Property Owner to annually report as required by Section 9 below; or
- (E) Failure of the Property Owner to notify the City in writing prior to the transfer of the Property; or
- (F) Transfer of the Property by the Property Owner outside of the terms of this Agreement; or
- (G) Failure of the Property Owner to comply with Section 5 above; or
- (H) Failure of the Property Owner to comply with any other obligation or promise contained within any section or subsection of this Agreement; or
- (I) Failure of the Property Owner to comply with all state and local law regarding building and property maintenance codes, zoning ordinances, and building and/or trade permits; or
- (J) Failure of the Property Owner to remain current on any and all federal and state taxation obligations which would affect the priority of the lien created under this Agreement.

Section 6.2. Completion of Construction. Upon completion of construction, Section 6.1(C) shall no longer constitute a possible event of default.

## SECTION 7. NOTICE AND CURE.

Section 7.1. Notice and Cure Period. The City Council shall provide written notice to the Property Owner before exercising any of its rights and remedies under Section 8 below. The Property Owner shall have ninety (90) days to cure any alleged default under this Agreement, provided, however, that if the curing of such default cannot be accomplished with due diligence within ninety (90), then the Property Owner shall request an additional reasonable period of time from the City Council to cure such default as may be necessary provided that the Property Owner shall have commenced to cure such default within said period, such cure shall have been diligently pursued by the Project Owner and the City Council does not reasonably deem the taxes jeopardized by such further delay, all as determined by the City Council in its reasonable discretion which shall not be unreasonably withheld.

Section 7.2. Agreed Upon Address for Purposes of Written Notice. All notices, requests, consents, approvals, and any other communication which may be or are required to be served or given (including changes of address for purposes of notice) shall be in writing and shall be sent registered or certified mail and addressed to the following parties set forth below:

If to: City of Providence  
Office of the City Clerk  
25 Dorrance St.  
Providence, RI 02903  
\*Accompanied by 9 copies

If to: The Aspen Group, Inc.  
100 Riverpark Drive  
North Reading, MA 01864

## SECTION 8. RIGHTS AND REMEDIES.

Section 8.1. Retroactive Revocation of Tax Stabilization. In the event of a default under this Agreement which remains uncured after the notice and cure period set forth in Section 7 above, the Property Owner shall pay to the City an amount equal to the difference between the stabilized tax payments made under this Agreement and the amount of Property taxes that would have been assessed and paid during the tax stabilization term as defined in Section 2.2 above, but for this Agreement. The entire retroactive tax obligation will become due and owing on the same date that the next quarterly taxes are due for all other taxpayers in the City.

Section 8.2. Collection of Taxes. At any time during the tax stabilization term as defined in Section 2.2 of this Agreement, the City of Providence may pursue any and all rights and remedies arising under any state or local law, including but not limited to Chapters 7-9 of Title 44, and/or arising under this Agreement to collect stabilized taxes due and owing in accordance with the tax stabilization plan outlined in Section 2.3 above and/or to collect retroactive taxes pursuant to Section 8.1 above.

Section 8.3. City's Lien Remedies and Rights. Nothing herein contained shall restrict or limit the City's rights and/or remedies with respect to its first priority lien for taxes as provided under Title 44 of the Rhode Island General Laws. Rather, this Agreement shall be construed to provide a complete additional alternative method under contract law for the collection of taxes, and shall be regarded as supplemental and in addition to the powers conferred by other state and local laws.

Section 8.4. Property Owner's Rights. During the tax stabilization term as defined in Section 2.2, the Property Owner agrees to waive and forever forgo any and all of its rights and privileges under Title 44 of the Rhode Island General Laws, as they pertain to the Tax Payments due and owing pursuant to this Agreement, unless the assessment value of the Property increases by more than ten percent (10%) between any two City-wide revaluations (as referenced in R.I. Gen. Laws § 44-5-11.6) which occur during the term of this stabilization. Nothing herein shall be construed to limit the right of the Property Owner to pursue its rights and remedies under the terms of this Agreement.

Section 8.5. Waiver. Failure or delay on the part of the City to exercise any rights or remedies, powers or privileges at any time under this Agreement or under any state or local law shall not constitute a waiver thereof, nor shall a single or partial exercise thereof preclude any other or further exercise thereof or the exercise of any other right, remedy, power of privilege thereunder.

Section 8.6. Joint and Several Liability. In the event of default under this Agreement The Aspen Group, Inc. agrees to remain jointly and severally liable with any and all Property Owners.

## SECTION 9. MISCELLANEOUS TERMS.

Section 9.1. Annual Progress Report. The Property Owner shall provide annual reports to the City Council on its progress in complying with the provisions of this Agreement. Specifically, its report shall include a performance report on rehabilitation and/or improvements with evidence of final construction costs, status of stabilized tax payments, evidence of compliance pursuant to Section 5 above, and overall financial well-being. Upon receipt and review, the City Council may require and request additional information.

Section 9.2. Monitoring Fee. The Property Owner shall remit a monitoring/compliance fee to the City in the amount of \$1,650.00 annually for the term of this Agreement.

Section 9.3. Agreement to Contribute to Parks and Recreation Trust Fund. Upon passage of this Ordinance by the City Council, the Property Owner shall contribute to a Trust Fund established by the City of Providence, of which the Treasurer shall be the trustee. The Fund shall be identified as the "City Council Parks and Recreation Fund." The City Council shall establish regulations pertaining to the disbursement of funds.

- (a) Payments to the Fund. The Property Owner shall make annual payments to the Fund in the amount of \$13,500.00 for the term of the tax stabilization agreement, for as long as this Agreement is in full force and effect. Said annual payments will be payable on the last day of each subsequent tax year commencing in year 4 after the Commencement Date. If, for any reason, this Agreement is retroactively revoked, the payments to the fund shall remain and will not be forfeited back to the Property Owner due to a default. The Property Owner shall have the right at any time to pre-pay the remaining balance of annual payments to the Fund at a discount factor to the mutual agreement of the parties.

Section 9.4. Severability. The sections of this Agreement are severable, and if any of its sections or subsections shall be held unenforceable by any court of competent jurisdiction, the decision of the court shall not affect or impair any of the remaining sections or subsections.

Section 9.5. Applicable Law. This Agreement shall be construed under the laws of the State of Rhode Island, the City of Providence Home Rule Charter, and the City of Providence Code of Ordinances, as amended.

Section 9.6. Modifications Amendments and/or Extensions. This Agreement shall not be modified, amended, extended or altered in any way by oral representations made before or after the execution of this Agreement. Any and all modifications, amendments, extensions or alterations must be in writing duly executed by all parties.

Section 9.7. Entire Agreement. This Agreement and all attachments, addenda, and/or exhibits attached hereto shall represent the entire agreement between City and the Property Owner and may not be amended or modified except as expressed in this document.

Section 9.8. Effective Date. This Agreement shall take effect upon passage of this Ordinance by the Providence City Council, and approval by the Mayor. The tax stabilization term shall be effective in accordance with the terms and provisions herein.

Section 9.9. Personal Property Taxes. The City and the Property Owner will use best efforts to finalize, prior to the Commencement Date, a phase-in agreement of personal property taxes to the mutual agreement of the parties associated with tenants or occupants of the proposed redevelopment of the property.

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

<b>RESULT:</b>	<b>READ/PASSED SECOND TIME [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Principe
<b>SECONDER:</b>	Councilman Correia
<b>AYES:</b>	Acting Council President Matos, Councilman Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Hassett, Igliozi, Jennings, Councilwoman LaFortune, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 15. <b>COUNCILMAN SALVATORE Requests to be recorded as voting “NO” on “An Ordinance Relating to Article IV, Chapter 17, Section 17-192(F) of the Code of Ordinances (Disability Waiver Request).”</b>

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

## **PRESENTATION OF ORDINANCES**

**COUNCILMEN SALVATORE, HASSETT, JENNINGS, COUNCILWOMAN LAFORTUNE, COUNCILMEN NARDUCCI, YURDIN, ZURIER AND CORREIA**

An Ordinance Amending Chapter 21, "Revenue and Finance", of the Providence Code of Ordinances, to add Article XIX, "The Providence Tax Stabilization Investment Act."

**ACTING COUNCIL PRESIDENT MATOS Refers the Ordinance to the Committee on Finance.**

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

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**COUNCILMEN YURDIN, JENNINGS, SALVATORE AND ZURIER**

An Ordinance Amending Chapter 14, "Licenses", to add Section 14-311, Entitled: "Board of Licenses Nominating Committee."

**ACTING COUNCIL PRESIDENT MATOS Refers the Ordinance to the Committee on Ordinances.**

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

## **PRESENTATION OF RESOLUTIONS**

### **ACTING COUNCIL PRESIDENT MATOS, (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.

The Allied Group (Board of Canvassers)	\$6,500.13
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Resolution Authorizing Approval of the following Piggyback Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

Greenwood Emergency Vehicles, LLC (Fire Department)	\$816,170.00
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**COUNCILMAN PRINCIPE Moves to Dispense with the Reading of the foregoing matters, Seconded by COUNCILMAN CORREIA.**

**ACTING COUNCIL PRESIDENT MATOS Refers the Several Resolutions to the Committee on Finance.**

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

**COUNCILWOMAN HARRIS, ACTING COUNCIL PRESIDENT MATOS, COUNCILMAN APONTE, COUNCILWOMAN CASTILLO, COUNCILMEN CORREIA, HASSETT, IGLIOZZI, JENNINGS, COUNCILWOMAN LAFORTUNE, COUNCILMEN NARDUCCI, PRINCIPE, COUNCILWOMAN RYAN, COUNCILMEN SALVATORE, YURDIN AND ZURIER**

Resolution Honoring the Life and Legacy of Lauriston "Larry" Ashe, Jr.

**WHEREAS**, Lauriston "Larry" Ashe, Jr. was a life-long resident of Providence, RI; and  
**WHEREAS**, A graduate of LaSalle Academy, he became a pipefitter for Local 51 and held that position for over 30 years; and

**WHEREAS**, Larry was an avid chess player who would constantly read and record moves to improve and perfect his game; and

**WHEREAS**, He lived the good life, following his favorite motto: "I have the simplest tastes! Only want the best"; and

**WHEREAS**, He loved making sweet potato pies, enjoyed going to the movies and eating out, and most especially loved spending time with his children and grandchildren; and

**WHEREAS**, He is remembered for having a good heart and helping anyone, such as providing community service to organizations such as the Direct Action for Rights and Equality (DARE); and

**WHEREAS**, He is remembered for his ability to light up a room and was loved by everybody he came into contact with; and

**WHEREAS**, He is survived by his mother Arsená Ashe, his father Lauriston Ashe, Sr., and his two brothers, Randall Kee Kee Ashe and Curtis Ashe; and

**WHEREAS**, He is also survived by his half siblings, adoring children, grandchildren, and great-grandchildren; and

**WHEREAS**, He also leaves behind his many grandchildren and great-grandchildren; and

**WHEREAS**, Lauriston "Larry" Ashe, Jr. passed away on November 2<sup>nd</sup>, 2017 at the age of 61.

**NOW, THEREFORE, BE IT RESOLVED**, That the City Council of the City of Providence does hereby recognize and remember the life and legacy of Lauriston "Larry" Ashe, Jr.

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

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Principe
<b>SECONDER:</b>	Councilman Correia
<b>AYES:</b>	Acting Council President Matos, Councilman Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Hassett, Igliazzi, Jennings, Councilwoman LaFortune, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 15.

**The Motion for Passage is Sustained.**

## COUNCILMAN IGLIOZZI

Resolution Requesting the installation of cameras in all Providence Public School Classrooms and Hallways.

**ACTING COUNCIL PRESIDENT MATOS Refers the Resolution to the Committee on Finance and Special Committee on Education, Jointly.**

<b>RESULT:</b>	<b>REFERRED</b>
<b>TO:</b>	Committee on Finance and Special Committee on Education, Jointly

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## COUNCILMEN NARDUCCI, JENNINGS, COUNCILWOMAN LAFORTUNE, COUNCILMEN SALVATORE AND YURDIN

Resolution Opposing the Proposed Concord Street Waste Transfer Station.

**WHEREAS**, Link Environmental and the City of Pawtucket seek to move a waste transfer station to 55 Concord Street on the Providence-Pawtucket city line; and

**WHEREAS**, The proposed waste transfer station would be a 34,000 square foot facility with the capacity to accept 2,200 tons of waste daily; and

**WHEREAS**, Nearby Pawtucket residents have expressed their opposition to the waste station relocation, citing increased noise, traffic, litter, and rodent issues, as well as concerns about insufficient parking, offensive odors, and potential fire hazards associated with the waste station; and

**WHEREAS**, According to an article in the Valley Breeze, the reason for the relocation is to move the waste transfer to “a more industrial area,” however, the proposed new location is extremely close to Providence’s predominantly residential Charles and North End neighborhoods; and

**WHEREAS**, While the Pawtucket City Planning Commission has stated that they will “do their due diligence and are always committed to hearing the public’s comments,” Providence residents and the City of Providence have been left out of the planning and discussions surrounding this project; and

**WHEREAS**, As the relocation of a waste transfer station to a site on the border with Providence will have major ramifications for the people and businesses of Providence, it is of the utmost importance that their concerns be heard, respected, and addressed as part of the decision-making process; and

**WHEREAS**, The same problems raised by Pawtucket residents will affect the many Providence residents and businesses near the proposed new location, harming their health, reducing property values, and making it harder to do business; and

**WHEREAS**, The Providence City Council has a moral obligation to fight all forms of environmental injustice and to protect the people of Providence from projects that would change the character of their communities and diminish their quality of life.



***NOW, THEREFORE, BE IT RESOLVED***, That the City Council of the City of Providence does hereby express its opposition to the proposed plan to move a waste transfer station to 55 Concord Street, Pawtucket, on the border with the City of Providence.

***BE IT FURTHER RESOLVED***, That, upon passage, copies of the resolution be sent to the Mayor of Providence, the Mayor of Pawtucket, the President of the Pawtucket City Council, and the Chair of the Pawtucket City Planning Commission.

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## **COUNCILWOMAN RYAN**

Resolution calling for a public review of the newly adopted Board of Licenses Operations and Procedures Manual.

***WHEREAS***, The Board of Licenses and the Licensing Office are vital arms of City government that play an important role in both encouraging economic growth and promoting public safety; and

***WHEREAS***, Having well-crafted policies and procedures that reflect best practices is key to promoting good public policy and smooth operations for all government agencies and departments; and

***WHEREAS***, As part of the Council's continued efforts to improve the operations of the Board of Licenses and the Licensing Office, in 2016, the City Council engaged former Rhode Island Attorney General Jeffrey Pine to conduct a thorough review of their operations, including reviewing the Board's policies and procedures and making recommendations for improvements; and

***WHEREAS***, Among the many important findings of the Pine Report was that the Board's Operations and Procedures manual was in need of "several significant changes" and recommended changes relative to consistent discipline, rules of evidence, recordkeeping, and Open Meetings Act compliance; and

***WHEREAS***, Despite the clear recommendations of the Pine Report and repeated requests by City Councilors for the Board of Licenses to work with the Council on updates to the Operations and Procedures Manual, the performance review conducted by BlumShapiro Consulting released earlier this year found that the Board is still using a manual that has not been updated since 2011; and

***WHEREAS***, On November 9<sup>th</sup>, 2017, the Board of Licenses voted to approve a new Operations and Procedures Manual, however, as the previous manual was is not on the City website and the no copy was provided in the public posting announcing the vote to amend it, members of the public were unable to compare the two documents and understand the changes being proposed; and

***WHEREAS***, Moreover, as the City Council was not given any opportunity to weigh in or comment on the proposed new policies and procedures before they were adopted by the Board of Licenses; and

***WHEREAS***, As the circumstances of the vote to approve the new policies and procedures left members of the public unable to learn of the proposed changes or comment on their potential effects unless they were physically present for the vote, it is both appropriate and necessary for ensuring the public's trust that the new Operations and Procedures Manual be reviewed and vetted by the City Council in an open meeting; and

**WHEREAS**, The Providence City Council has an obligation to ensure the proper management and operations of the all City agencies and departments, including the Board of Licenses and Licensing Office, and to promote open and transparent governance for the people of Providence.

**NOW, THEREFORE, BE IT RESOLVED**, That the City Council of the City of Providence does hereby request that the newly adopted Board of Licenses Operations and Procedure be submitted to the Special Committee on Municipal Operations and Oversight for public review and Council vetting.

**BE IT FURTHER RESOLVED**, That, upon passage, copies of this resolution be sent to the Mayor, the Chairman of the Board of Licenses, and the License Administrator.

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## COUNCILMAN SALVATORE

Resolution Requesting the General Assembly Increase Penalties for Assaulting Police Officers and Clarifying the Meaning of “Dangerous Weapons.”

**WHEREAS**, In recent months, there have been a number of disturbing incidents in which Providence Police Officers had glass bottles and other items thrown at them or their vehicles while on duty, including incidents in which the items were thrown from second and third story balconies and porches; and

**WHEREAS**, On September 2<sup>nd</sup>, 2017, while police attempted to disperse a crowd on Eaton Street, people inside a house threw beer cans and other objects at officers from a second floor porch; and

**WHEREAS**, On September 10<sup>th</sup>, 2017, beer bottles and cans were thrown at police officers and vehicles from a third floor deck where the officers were responding to a loud and unruly gathering on Eaton Street; and

**WHEREAS**, On September 15<sup>th</sup>, 2017, officers were attempting to disperse a crowd estimated at 200-300 people on Eaton Street when items, including beer bottles and cans, were thrown at officers and their vehicles from a second floor porch; and

**WHEREAS**, On October 29<sup>th</sup>, 2017, a man threw a bottle at police officers while they were attempting to clear a crowd at the corner of Chad Brown Street and Pembroke Avenue; and

**WHEREAS**, Also on October 29<sup>th</sup>, multiple individuals threw objects at police officers, including glass bottles and smoke bombs, when the officers responded to a large and volatile crowd causing property damage on Pembroke Avenue; and

**WHEREAS**, These brazen attacks show disregard for human life and disrespect for the men and women of the Providence Police Department who work diligently to keep the people of Providence safe; and

**WHEREAS**, In light of recent incidents and recognizing the dangerous nature of the job, enhanced penalties for those who assault police officers are necessary to reflect the serious nature of the crime and to deter future assaults on officers; and

**WHEREAS**, Under Rhode Island General Laws § 11-5-2, when assault or battery is committed with “a dangerous weapon,” it rises to the level of felony assault, but the law is ambiguous as to whether a thrown glass bottle qualifies as a “dangerous weapon”; and

**WHEREAS**, While Rhode Island General Laws § 11-5-5 makes any assault on a police officer engaged in the performance of his or her duty a felony, the penalties for such an assault are far less severe than the penalties under Rhode Island General Laws § 11-5-2; and

**WHEREAS**, The Providence City Council has a moral obligation to do all in its power to protect its police officers, who have made an oath to protect the people and City of Providence.

**NOW, THEREFORE, BE IT RESOLVED**, That the City Council of the City of Providence does hereby request that the General Assembly enact laws increasing the penalty for assaulting an officer and establishing that a thrown glass bottle constitutes a “dangerous weapon” under the State’s felony assault statute.

**BE IT FURTHER RESOLVED**, That, upon passage, copies of this resolution be sent to the Speaker of the House, the President of the Senate, and the entire Providence delegation in the General Assembly.

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

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Principe
<b>SECONDER:</b>	Councilman Correia
<b>AYES:</b>	Acting Council President Matos, Councilman Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Hassett, Igliozzi, Jennings, Councilwoman LaFortune, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 15.

**The Motion for Passage is Sustained.**

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Resolution Establishing the Special Committee on Off-Campus Housing, Safety, & Security.

**ACTING COUNCIL PRESIDENT MATOS Refers the Resolution to the Special Committee on Municipal Operations and Oversight.**

<b>RESULT:</b>	<b>REFERRED</b>
<b>TO:</b>	Special Committee on Municipal Operations and Oversight

## REPORT(S) FROM COMMITTEE(S)

### COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND PLANNING ACTING COUNCIL PRESIDENT SABINA MATOS, Chairwoman

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

**COUNCILMAN ZURIER, ACTING COUNCIL PRESIDENT MATOS, COUNCILMAN APONTE, COUNCILWOMAN CASTILLO, COUNCILMAN CORREIA, COUNCILWOMAN HARRIS, COUNCILMEN HASSETT, IGLIOZZI, JENNINGS, COUNCILWOMAN LAFORTUNE, COUNCILMEN NARDUCCI, PRINCIPE, COUNCILWOMAN RYAN, COUNCILMEN SALVATORE AND YURDIN**

Resolution Renaming Magee Street to Bannister Street.

**WHEREAS**, On or around November 12, 1805, the Providence Town Council voted to name a one-block street between George and Benevolent Streets as Megee Street after William Fairchild Megee, who owned property on the street, and

**WHEREAS**, According to Jacques M. Downs, "The Merchant as Gambler, Major William Fairchild Megee, 1765-1820," published in *Rhode Island History*, Vol. XXVII, No. 4, (November 1969) (Exhibit A), Mr. Megee was, at that time, a merchant involved in the China trade, and

**WHEREAS**, In the fall of 1805, Mr. Megee ran into difficulties with creditors, and attempted to recoup his losses by transporting slaves from Senegal to South America, and

**WHEREAS**, The United States had enacted a ban on the slave trade effective January 1, 1808, causing an historian to describe Mr. Megee's venture as "a desperate attempt to cash in on the final moments of that brutal and increasingly disreputable commerce," (*see* Exhibit A, p. 107), and

**WHEREAS**, This venture failed, and Mr. Megee declared bankruptcy in 1807, and

**WHEREAS**, Mr. Megee subsequently moved to China in 1810, where he spent the rest of his days, and

**WHEREAS**, Megee Street later became known as Magee Street, and

**WHEREAS**, At 93 Benevolent Street, three blocks east from the intersection with Magee Street, stands the former home of the artist Edward Mitchell Bannister and Christiana Carteaux Bannister, who resided there from 1884 to 1899, and

**WHEREAS**, Mr. Bannister was an accomplished painter of landscapes and seascapes, including one work that won first prize at the 1876 Centennial Exhibition in Philadelphia, and

**WHEREAS**, In 1890, Mr. Bannister co-founded the Providence Art Club which continues to thrive in its location on Thomas Street, and

**WHEREAS**, In addition to his artistic career, Mr. Bannister worked with his wife Christiana Carteaux Bannister in the abolitionist movement, supporting the formation of the all-black 54<sup>th</sup> Massachusetts Regiment during the Civil War, and

**WHEREAS**, Mr. Bannister's art work was not sufficiently appreciated in his day, perhaps in part due to his African-American heritage, and

**WHEREAS**, In 1978, Rhode Island College dedicated its art gallery in Mr. Bannister's name, as part of a general revival of interest in and appreciation of his art, and

**WHEREAS**, Christiana Carteaux Bannister was a successful businesswoman, establishing a chain of hair salons in Boston and Providence, and

**WHEREAS**, After moving to Providence with her husband in 1869, Mrs. Bannister provided aid to the families of deceased African-American Civil War veterans, and

**WHEREAS**, Mrs. Bannister also helped establish a retirement home for African-American women in Providence, now known as Bannister House, and

**WHEREAS**, Both Mr. and Mrs. Bannister have been inducted as members of the Rhode Island Heritage Hall of Fame.

**NOW, THEREFORE, BE IT RESOLVED**, That the Providence City Council hereby renames Magee Street as Bannister Street.

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

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

**The Motion for Passage is Sustained.**

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

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

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

An Ordinance Establishing a Tax Stabilization Agreement for 345 Harris, Inc. located at 345 Harris Avenue.

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

An Ordinance Establishing a Tax Stabilization Agreement for PCHC Beaman and Smith Mill, LLC, located at 335R Prairie Avenue.

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

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

An Ordinance Amending Chapter 2015-61, Ordinance No. 590 of the Providence Code of Ordinances, Establishing a Tax Exemption and Stabilization Plan for PRI XXI, LP.

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

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

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

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

**ACTING COUNCIL PRESIDENT MATOS, COUNCILWOMAN RYAN,  
(By Request):**

Resolution Authorizing the City of Providence to obtain not more than \$2,010,000 from the Rhode Island Health Educational Building Corporation and to issue bonds and notes to finance repairs, alterations, renovation, improvements and equipping of school and school facilities in the city.

BE IT RESOLVED, That:

SECTION 1. Pursuant to Chapter 45-38.2 of the General Laws, an amount not to exceed \$2,010,000 is appropriated for the purpose of financing repairs, alterations, renovation, improvements and equipping of schools and school facilities in the City (the "Project").

SECTION 2. The City Treasurer and the Mayor be and hereby are authorized to obtain an amount not exceeding Two Million Ten Thousand Dollars (\$2,010,000) from the Rhode Island Health Educational Building Corporation and to issue on behalf of the City, bonds, notes, evidences of indebtedness or appropriation obligations (the "Obligations") therefor, at one time, or from time to time in order to meet the foregoing appropriation. Pursuant to Section 45-38.2-4(d)(2) of the General Laws, the amount of the loan portion shall not exceed \$500,000.

SECTION 3. The said officers from time to time may issue and refund not exceeding \$2,010,000 interest bearing or discounted short term notes in anticipation of the issue of said Obligations or in anticipation of the receipt of federal or state aid for the purpose specified in Section 1 hereof.

SECTION 4. The manner of sale, amount, denominations, maturities, conversion or registration privileges, interest rates, medium of payment, and other terms, conditions and details of the Obligations may be fixed by the officers authorized to sign the Obligations. Such Obligations may be secured by the full faith, credit and taxing power of the City or payable solely from annual appropriations made therefor.

SECTION 5. The said officers from time to time may apply for, contract for and expend any federal or state advances or other grants or assistance which may be available for the purposes specified in Section 1 hereof. The City may enter into financing agreements with the Rhode Island Health and Educational Building Corporation (the "RIHEBC") in accordance with Chapter 45-38.2 to evidence loans, advances or grants from the school building authority capital fund administered by RIHEBC.

SECTION 6. Pending the issuance of the Obligations under Section 2 hereof or pending or in lieu of the issue of notes under Section 3 hereof, the City Treasurer may expend funds from the general treasury of the City for the purposes specified in Section 1 hereof. Any advances made under this section shall be repaid without interest from the proceeds of the Obligations issued hereunder or from proceeds of applicable federal or state assistance or from other available funds.

**SECTION 7.** The City Treasurer and the Mayor are also authorized, empowered and directed, on behalf of the City, to: (i) execute, acknowledge and deliver any and all other documents, certificates or instruments necessary to effectuate such borrowing; (ii) amend, modify or supplement the Obligations and any and all other documents, certificates or instruments at any time from time to time, in such manner and for such purposes as such officers shall deem necessary, desirable or advisable; (iii) do and perform all such other acts and things deemed by such officers to be necessary, desirable or advisable with respect to any matters contemplated by this resolution in order to effectuate said borrowing and the intent hereof.

**SECTION 8.** The City Treasurer together with the Mayor be, and hereby are, authorized to deliver the Obligations to the purchaser or purchasers and, if the Obligations are to be issued on a tax-exempt basis, said officers be, and hereby are, authorized and instructed to take all actions on behalf of the City, necessary to ensure that interest on the Obligations will be excludable from gross income for federal income tax purposes and to refrain from all actions which would cause interest on the Obligations to become subject to federal income taxes.

**SECTION 9.** This resolution is an affirmative action of the City Council of the City toward the issuance of Obligations in accordance with the purposes of the laws of the State. This resolution constitutes the City's declaration of official intent, pursuant to Treasury Regulation §1.150(2), to reimburse the City for certain capital expenditures for the Project paid on or after the date which is sixty (60) days prior to the date of this resolution but prior to the issuance of the Obligations. Such amounts to be reimbursed shall not exceed \$2,010,000 and shall be reimbursed not later than eighteen (18) months after (a) the date on which the expenditure is paid or (b) the date the Project is placed in service or abandoned but in no event later than three (3) years after the date the expenditure is paid.

**SECTION 10.** This resolution shall take effect upon passage.

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

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

**The Motion for Passage is Sustained.**



**COMMITTEE ON CITY PROPERTY**  
**COUNCILMAN BRYAN PRINCIPE, Chairman**

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

**COUNCILMAN NARDUCCI**

Resolution Authorizing the Mayor to Execute a Lease for 485 Charles Street to the Southside Community Land Trust.

**RESOLVED**, That His Honor, the Mayor, is hereby authorized to execute a lease for 485 Charles Street in the City of Providence, to the Southside Community Land Trust for an initial term of twenty years at an annual rental of \$1.00 and with other such terms and conditions as may be imposed by the Committee on City Property, the City Council, His Honor the Mayor, and the City Solicitor.

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

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

**The Motion for Passage is Sustained.**

## PERSONAL EXPRESSION

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

**“I don’t know how other people feel, but I’m going to express my feelings obviously. I know there were certain comments made about the situation that happened last week with the shooting and the high speed chase. I was able to watch the film that the RIDOT had. Originally, two other white pick-up trucks got pulled over and let go because obviously they had nothing to hide. This gentleman, when they went to pull him over he put a high speed chase on. I don’t know if you guys saw the one DOT did on Route 10 alone. I don’t know how he didn’t kill other people or himself. He put many lives in jeopardy that day. Once he got to the overpass, it shows one State Trooper running up to the vehicle banging on the window asking this gentleman to get out of the vehicle. The vehicle then pulled into reverse and literally almost runs over another police officer, pulls it back into drive and starts slamming the motor vehicles in the front, which shows an officer, and I want to commend this officer for pulling that woman out of her car, who knows that woman might have been dead also. I think what the Providence Police and the State Police did was by no choice to make sure no harm was given to anybody else, any other human beings out there that were just coming home from work, or going to work, or picking up their kids from school. It was a tragic ending like it always is when it ends that way, but again I just want to go on record as saying, I really think the State and especially with Providence, I mean Chief Clements came out and gave his report and they had nothing to hide when they did the investigation. They named all five police officers involved. The State Police have not identified any police officers involved and as far as I know, right now they’re refusing to still release any names. You hear this stuff on the talk shows and it kind of gets to you after a while because again it could have been one of our mothers, fathers, sisters or brother driving on that highway. It could have been my mother in that car getting rammed. This guy had no ramifications at all of what he did. It could have all been prevented by not running in the first place. So, again tragic ending, but I just wanted to voice my opinion on the way it was handled by the Providence Police and also the State Police. Thank you.”**

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**ACTING COUNCIL PRESIDENT MATOS, COUNCILMAN APONTE**

Resolution Authorizing the Mayor to enter into a Lease Agreement with Children's Friend for the property located at 245 Althea Street.

**WHEREAS**, The property located on Assessor's Plat 42, Lot 79, (245 Althea Street) is owned by the City of Providence; and

**WHEREAS**, It is the intent of the parties that the City of Providence will enter into a lease with Children's Friend for the property at 245 Althea Street in accordance with the terms of the lease submitted to the Office of Head Start on March 31 2017, the changes requested by the Office of Head Start dated June 20, 2017, and with the following additional changes:

1. The monthly lease payments will be one thousand dollars (\$1,000) per month for the first one hundred twenty (120) months of the lease, and will increase to one thousand two hundred dollars (\$1,200) per month beginning in month one hundred twenty-one (121).

2. The City will evaluate its long term needs for 245 Althea Street during the first eighteen (18) months of the lease. If the City determines that it is able to sell the building, then it has the option to sell the building to Children's Friend at ninety percent (90%) of the lowest appraised value (if appraised value is stated as a range then the lowest amount in the range will be used) of its condition as of September 29, 2017. IF the appraised value of the building is greater than four hundred fifty thousand dollars (\$450,000), then Children's Friend can decline to purchase the building, the lease will continue and the City cannot sell the building to another party during the lease term.

3. If Children's Friend purchases the building, all prior lease payments will be put toward the purchase price.

4. If Children's Friend purchases the building and sells it in the future, the City has the right of first refusal to buy back the building.

5. Children's Friend will pay for the environmental remediation of the property.

**NOW, THEREFORE, BE IT RESOLVED**, That the City Council of the City of Providence does hereby authorize the Mayor to enter into a lease agreement with Children's Friend for the property located on Assessor's Plat 42, Lot 79, (245 Althea Street) in accordance with the terms of the lease submitted to the Office of Head Start on March 31 2017, the changes requested by the Office of Head Start dated June 20, 2017, and above-mentioned additional changes.

**COUNCILMAN PRINCIPE Moves to Amend the lease attached to the Resolution in paragraph twelve, adding the words "and ACF", referring to the Federal Department of Administration for Children and Families. (If the city were to exercise its right to terminate the lease that the city would not only have to notify not only Children's Friend, the recipient of the grant, but also the Administration for Children and Families, the Federal Department that is administering the grant.) Also in Section two of the first page of the agreement, delete the words "together the term", which was stricken through in prior versions of the lease, Seconded by COUNCILMAN CORREIA.**

**COUNCILMAN PRINCIPE Moves Passage of the Resolution, As Amended, Seconded by COUNCILMAN CORREIA.**

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

**The Motion for Passage is Sustained.**

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### **FROM THE CLERK'S DESK**

Petition from Jamie Oschefski, 7 Malony Lane, Middletown, Rhode Island 02842, requesting a Zoning Change on Assessor's Plat 122, Lot 1, for the property located on 1075 Smith Street from R1 to C-1.

**ACTING COUNCIL PRESIDENT MATOS Refers the Petition to the Committee on Ordinances.**

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

Petitions for Compensation for Injuries and Damages, viz:

Judy Hunt  
(Christopher E. Fay, Esquire)  
Eduardo Jose Rodriguez  
Latoya Ledo p.p.a. "Jane Doe"  
(Lisa M. Cronin, Esquire)  
Teyonseas Reyes  
(Michael R. Lombardi, Esquire)  
Ramon Hernandez and Dolores Francisco  
(Frank L. Orabona, Jr., Esquire)  
Dionne M. Larsa

Elizabeth A. Holroyd  
(Harry J. Hoopis, Esquire)  
Aaron Cabral  
Craig/is Ltd.  
a/s/o NGM Insurance Company/Elizabeth  
DiLuglio and Alfred A. DiLuglio  
Melissa Muriel  
(Jennifer Gehringer Puerini, Esquire)  
Marta Lux Perez

**ACTING COUNCIL PRESIDENT MATOS 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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**COMMUNICATIONS AND REPORTS**

Communication from Jeffrey Angelo, Vice-Chairman, submitting his resignation as a member of the Juvenile Hearing Board.

**ACTING COUNCIL PRESIDENT MATOS Receives the foregoing Communication.**

<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.

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

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Principe
<b>SECONDER:</b>	Councilman Correia
<b>AYES:</b>	Acting Council President Matos, Councilman Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliozi, Jennings, Councilwoman LaFortune, Councilmen Narducci, Principe, Councilwoman Ryan and Councilman Zurier – 12.
<b>ABSENT:</b>	Councilmen Hassett, Salvatore and Yurdin – 3.

**The Motion for Passage is Sustained.**

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Certificates from City Assessor (270 and 280), recommending the same be severally cancelled pursuant to the provisions of Section 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, As Amended.

**ACTING COUNCIL PRESIDENT MATOS Refers the Certificates to the Committee on Finance.**

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

## **PRESENTATION OF RESOLUTIONS "IN CONGRATULATIONS"**

### **ACTING COUNCIL PRESIDENT MATOS AND MEMBERS OF THE COUNCIL**

Resolution Extending Congratulations.

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

Julio Avila, Head Coach, Emmanuel College Men's Golf, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Stoel Christopher "Krakita" Brooks, 1950-1960 Club Vida Professional Soccer Super Star, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Ricardo Caballero;, Miss Universe Honduras, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Carlos Campos, President Carlos Campos, LLC, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Giovanni Canales, Pawtucket RBI Junior Division All Star Baseball Team, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Sylvia Durant, Honduras Children's Fund, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Carlos Fernández, Sponsor Avenida República de Honduras, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Shaynah Ferreira, Weekend Associate Producer WJAR-TV Channel 10, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Margarita Franco, Comité de Hondureños Unidos de Massachusetts, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Honorable Judith Garcia, Councilor City of Chelsea Massachusetts, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Dania Hernandez, La Catrachita Entertainment, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Alison Izaguirre, Miss Choluteca Festival Hondureño de RI, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Maribelle Lieberman, Founder President of MarieBelle New York Inc., in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Amy Martinez, Miss Colon Festival Hondureño de RI, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Honorable Maria Andrea Matamoros Castillo, Secretaría de Relaciones Exteriores y Cooperación Internacional, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Honorable Liza Claudett Medrano, Directora de Protección al Hondureño Migrante Republica de Honduras, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Rosario Murillo, Presidente Fundación Humanitaria Hondureña USA Inc., in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Samuel Murillo, Land Scaping, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Jessica Padilla, President/CEO Padilla Cleaning Services, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Eddie Padilla, Copa Sport Bar, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.



Stephanie Perez, Miss Honduras Festival Hondureño de RI, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Britney Rodriguez, Miss Hondureñita Festival Hondureño de RI, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Hadayza Rodriquez, Miss Hondurita Festival Hondureño de RI, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Kathy Rodriguez, Miss Hondureñita Festival Hondureño de RI, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Elba Romero, President Arimiseños Por Las Mejoras de Arimis, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Honorable Marlon Ramsses Tábor Muñoz, Ambassador of Honduras to the United States, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Honorable Flabia Reveca Zamora Flores, Directora General de Asuntos Consulares Republica de Honduras, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Bernice McField-Ávila, MD, MHM, Partners Community Health, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Jamal Giron, Asociación Hondureña de RI, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Benjamin Giron, Asociación Hondureña de RI, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Enrique Giron, Asociación Hondureña de RI, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Angel Peralta, Asociación Hondureña de RI, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Eiren Aceituno, Asociación Hondureña de RI, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Jose A. Rodezno, Master Chef, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Jamal Giron, Asociación Hondureña de RI, in recognition of being honored at the 2<sup>nd</sup> Annual Hondureñidad en Rhode Island event for his achievements and contributions to the community and Honduras.

Vision Evangelica Church, in recognition of the celebration of their 25<sup>th</sup> Anniversary and for their contribution to the Providence community.

Johanne Washington, in recognition of the his continuous support of fellow veterans.

Everett: Company Stage & School, in recognition of their commitment and dedication impacting youth and marginalized groups with their unique creative vision, social consciousness and effective programs.

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

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Principe
<b>SECONDER:</b>	Councilman Correia
<b>AYES:</b>	Acting Council President Matos, Councilman Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliozi, Jennings, Councilwoman LaFortune, Councilmen Narducci, Principe, Councilwoman Ryan and Councilman Zurier – 12.
<b>ABSENT:</b>	Councilmen Hassett, Salvatore and Yurdin – 3.

**The Motion for Passage is Sustained.**

**PRESENTATION OF RESOLUTIONS  
"IN MEMORIAM"**

**ACTING COUNCIL PRESIDENT MATOS AND MEMBERS OF THE  
COUNCIL**

Resolution Extending Sympathy.

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

Theresa M. Buco

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

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilman Principe
<b>SECONDER:</b>	Councilman Correia
<b>AYES:</b>	Acting Council President Matos, Councilman Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliozi, Jennings, Councilwoman LaFortune, Councilmen Narducci, Principe, Councilwoman Ryan and Councilman Zurier – 12.
<b>ABSENT:</b>	Councilmen Hassett, Salvatore and Yurdin – 3.

**The Motion for Passage is Sustained.**

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**MATTERS NOT APPEARING  
ON THE PRINTED DOCKET**

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

**PRESENTATION OF ORDINANCES**

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

An Ordinance making an Appropriation of Three Hundred Eighty One Million Nine Hundred Fifty One Thousand and Four Hundred Eighty Two Dollars (\$381,951,482), for the Support of the Providence School Department for the Fiscal Year ending June 30, 2018, and amending Ordinance Chapter 2017-26, No. 300, Approved June 20, 2017.

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An Ordinance Amending a Compensation Plan for the Providence School Department and Amending Ordinance Chapter 2017-27, No. 301, Approved June 20, 2017.

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An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Employees in Certain Classes in the Providence School Department and Amending Ordinance Chapter 2017-28, No. 302, Approve June 20, 2017.

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

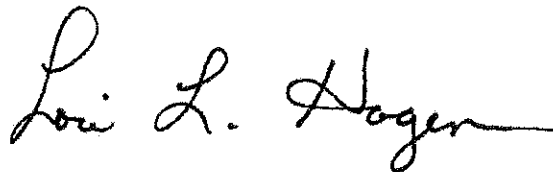
**ACTING COUNCIL PRESIDENT MATOS Refers the Several Ordinances to the Committee on Finance.**

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

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## CONVENTION

There being no further business, on Motion of **COUNCILMAN PRINCIPE**, Seconded by **COUNCILMAN CORREIA**, it is voted to adjourn at 8:11 o'clock P.M., to meet again **UPON THE RISE OF THE 7:00 O'CLOCK P.M. REGULAR CITY COUNCIL MEETING**

A handwritten signature in black ink, reading "Lori L. Hagen". The signature is fluid and cursive, with the first name "Lori" and last name "Hagen" clearly legible. The middle initial "L." is also present.

**LORI L. HAGEN**  
**CITY CLERK**

