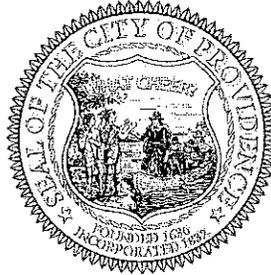


**CITY OF PROVIDENCE
RHODE ISLAND**



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 22 City Council Special Meeting, Tuesday, August 2, 2016, 5:00 o'clock P.M.

PRESIDING

COUNCIL PRESIDENT

LUIS A. APONTE

CALL TO ORDER

PRESENT: COUNCIL PRESIDENT APONTE, COUNCILWOMEN CASTILLO, HARRIS, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, JENNINGS, COUNCILWOMAN MATOS, COUNCILMEN NARDUCCI, PRINCIPE, COUNCILWOMAN RYAN AND COUNCILMAN ZURIER – 12.

ABSENT: COUNCILMEN CORREIA, SALVATORE AND YURDIN – 3.

ALSO PRESENT: LORI L. HAGEN, CITY CLERK, SHERI A. PETRONIO, SECOND DEPUTY CITY CLERK, TINA L. MASTROIANNI, ASSISTANT CLERK AND ADRIENNE SOUTHGATE, DEPUTY CITY SOLICITOR

**IN CITY COUNCIL
SEP 01 2016**

APPROVED:  CLERK

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

COUNCILMAN PRINCIPE Moves to Dispense with the Invocation and Pledge of Allegiance, Seconded by COUNCILMAN HASSETT.

CALL FOR SPECIAL MEETING

COMMUNICATION FROM

COUNCIL PRESIDENT LUIS A. APONTE

Request filed with the City Clerk July 29, 2016, Requesting a Special Meeting of the City Council to be Called on the 2nd day of August, 2016 at 5:00 o'clock P.M., in the City Council Chamber, Third Floor, City Hall.

COUNCIL PRESIDENT APONTE Receives the foregoing Communication.

RESULT:	RECEIVED
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WARRANT FOR SPECIAL MEETING

Warrant of the City Clerk to David Tassoni, City Sergeant with Return Certification that he has notified each Member of the City Council of the Special Meeting called for the 2nd day of August, 2016 at 5:00 o'clock P.M.

COUNCIL PRESIDENT APONTE Receives the foregoing Warrant.

RESULT: RECEIVED

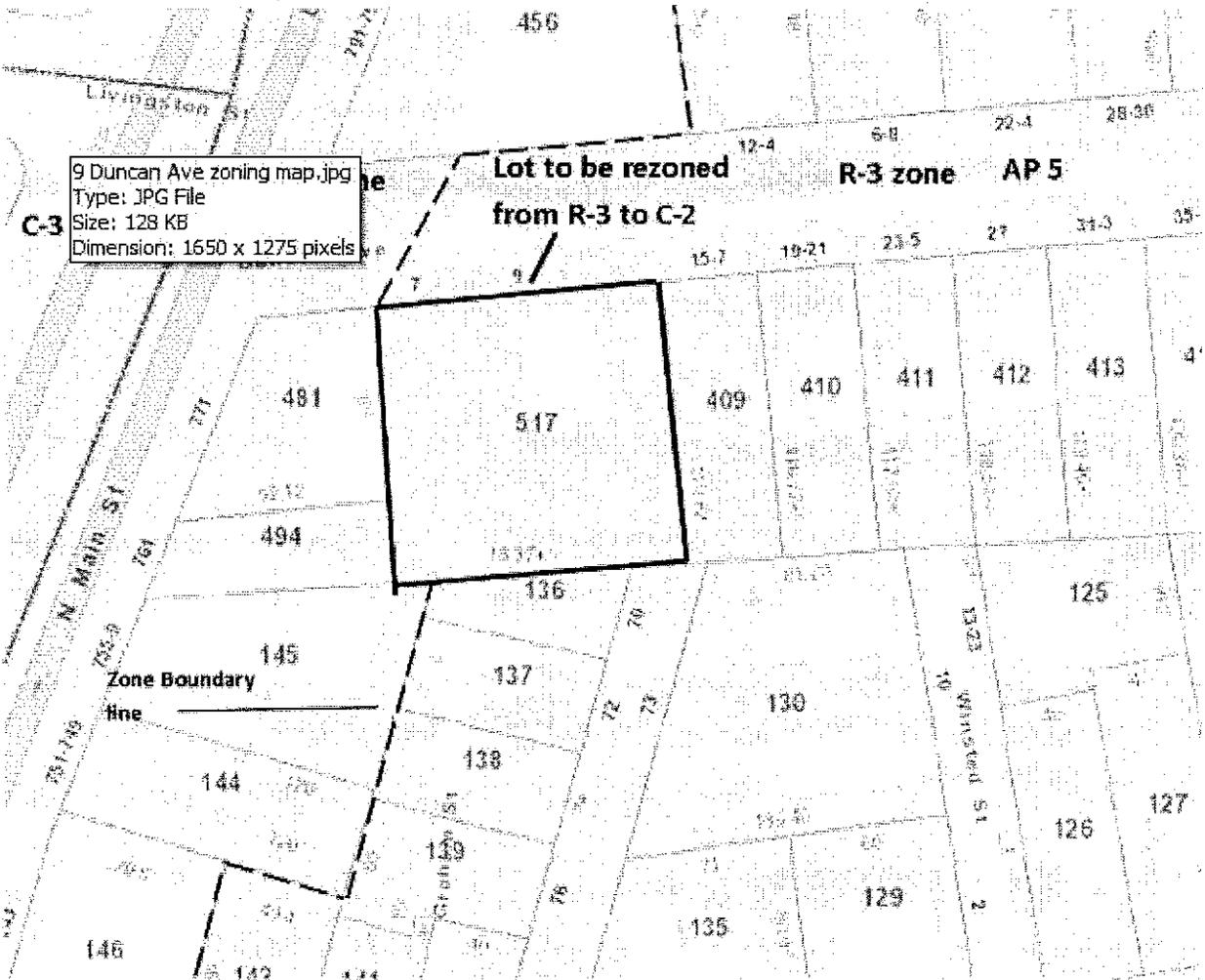
ORDINANCES SECOND READING

The Following Ordinances were in City Council July 21, 2016, Read and Passed the First Time and are Severally Returned for Passage the Second Time:

COUNCILMAN JACKSON, (By Request):

An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence, Entitled: "The City of Providence Zoning Ordinance", Approved November 24, 2014, As Amended, to change the Zoning District Designation of Plat 5, Lot 517 (9 Duncan Avenue) from R-3 to C-2.

SECTION 1: Chapter 27 of the Code of Ordinances of the City of Providence, Entitled "The City of Providence Zoning Ordinance" approved November 24, 2014, as amended, is hereby further amended to change the zoning district designation of Plat 5, Lot 517 (9 Duncan Avenue) from R-3 to C-2, as shown on the accompanying map.



SECTION 2: This ordinance shall take effect upon passage.

An Ordinance Amending Chapter 17, Article III of the Code of Ordinances, Entitled:
"Compensation and other Benefits."

Section 1. Chapter 17, Article III, Section 17-104 of the Code of Ordinances of the City of Providence shall be amended hereby as follows:

Sec. 17-104. - Maximum days allowed; accrual.

Sick leave with full pay for officers and permanent employees subject to the provisions of this division shall be one (1) working days per month. Such annual sick leave of twelve (12) working days with pay, when not used, shall be cumulative, but the accumulated and unused portion of such sick leave shall not exceed one hundred twenty (120) days at any one (1) time; provided however, any employee with at least five (5) years of continuous service who contracts a serious illness may be granted, with the approval of the personnel director, the finance director and the mayor, a further leave not to exceed ninety (90) days in addition to his accumulated sick leave as of the date said illness occurs.

Section 2.

This ordinance shall be effective upon passage.

COUNCILMAN CORREIA, COUNCILWOMAN MATOS

An Ordinance of the City of Providence Approving Improvements to the Providence Water Supply Board's Distribution System and Appurtenances thereto, including, but not limited to the Cleaning, Relining, Repair and Replacement of Water Mains, Transmission Lines, Service Lines and Valves, and all Attendant Expenses and Approving the Financing thereof by the Issuance of Water Revenue Bonds and Notes therefor in an amount not to exceed \$18,000,000.

BE IT ORDAINED BY THE CITY OF PROVIDENCE THAT:

SECTION 1. A sum not to exceed Eighteen Million Dollars (\$18,000,000) is appropriated for improvements to the Providence Water Supply Board ("Providence Water") distribution system and appurtenances thereto, including but not limited to cleaning, relining, repair and replacement of water mains, transmission lines, service lines and valves (the "Project"), including funding a debt service reserve fund and costs of issuance. The period of usefulness of the improvements financed as part of the Project is expected to be not less than forty (40) years.

SECTION 2. In accordance with Chapter 46-12.8 of the Rhode Island General Laws, the City Treasurer and the Mayor are hereby authorized to borrow an amount not exceeding Eighteen Million Dollars (\$18,000,000) from the Rhode Island Infrastructure Bank, and to evidence such loan, such officers are hereby authorized to issue and refund on behalf of the City, in an amount not exceeding Eighteen Million Dollars (\$18,000,000) water revenue bonds (the "Bonds") of the City, at one time, or from time to time in order to meet the foregoing appropriation.

SECTION 3. The said officers from time to time may issue and refund not exceeding \$18,000,000 interest bearing or discounted water revenue notes (the "Notes") in anticipation of the issue of said Bonds.

SECTION 4. The Bonds and Notes shall be payable solely from revenues of the Providence water supply system. The City may issue bonds, notes, or other obligations on a parity with these Bonds. The manner of sale, amount, denominations, maturities, conversion or registration privileges, interest rates, medium of payment, and other terms, conditions and details of the Bonds or Notes may be fixed by the officers authorized to sign the Bonds or Notes. The net debt of the City is not affected by the issuance of the Bonds or Notes and the Bonds and Notes authorized hereby will be within all debt and other limitations prescribed by the Constitution and the laws of Rhode Island.

SECTION 5. Pending the issuance of the Bonds under Section 2 hereof or pending or in lieu of the issue of Notes under Section 3 hereof, the General Manager of Providence Water may expend funds from the Water Fund 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 Bonds or Notes issued hereunder or from the proceeds of applicable federal or state assistance or from other available funds.

SECTION 6. The City Treasurer, the Mayor and the General Manager of Providence Water are also authorized, empowered and directed, on behalf of the City, to: (i) execute, acknowledge and deliver a Supplemental Indenture (the "Supplemental Indenture") by and between the City and U. S. Bank, National Association, as trustee (the "Trustee") amending and supplementing the Trust Indenture dated June 5, 2008 by and between the City and the Trustee (as supplemented, the "Indenture") relating to the Bonds and any and all other loan agreements, documents, including disclosure documents for investors, certificates or instruments necessary to effectuate such borrowing; (ii) amend, modify or supplement the Indenture, the Bonds or Notes and any and all other loan agreements, documents, certificates or instruments at any time and from time to time, in such manner and for such purposes as such officers shall deem necessary, desirable or advisable; (iii) direct the Trustee with regard to investments of trust funds pursuant to the Trust Indenture, and (iv) 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 Ordinance.

SECTION 7. The City Treasurer, the Mayor and the General Manager of Providence Water are hereby authorized to deliver the Bonds or Notes to the purchaser and said officers are hereby authorized and instructed to take all actions, on behalf of the City and Providence Water, necessary to ensure that interest on the Bonds or Notes will be excludable from gross income for federal income tax purposes and to refrain from all actions which would cause interest on the Bonds or Notes to become subject to federal income taxes.

SECTION 8. The Director of Finance, the Mayor and the General Manager of Providence Water are authorized to take all actions necessary to comply with federal tax and securities laws including Rule 15c2-12 of the Securities and Exchange Commission (the "SEC Rule") and to execute and deliver one or more Disclosure Certificates in connection with the Bonds or Notes in the form as shall be deemed advisable by the Director of Finance, the Mayor and the General Manager of Providence Water in order to comply with the SEC Rule. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Disclosure Certificates, as they may be amended from time to time. Notwithstanding any other provision of this Ordinance or the Bonds or Notes, failure of the City or Providence Water to comply with a Disclosure Certificates shall not be considered an event of default; however, any Bondholder or Noteholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City or Providence Water to comply with its obligations under this Section and under the Disclosure Certificate.

SECTION 9. This Ordinance shall take effect upon passage.

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 HASSETT, by the following Roll Call Vote:

RESULT:	READ/PASSED SECOND TIME [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Hassett
AYES:	Council President Aponte, Councilwomen Castillo, Harris, Councilmen Hassett, Igliazzi, Jackson, Jennings, Councilwoman Matos, Councilmen Narducci, Principe, Councilwoman Ryan and Councilman Zurier – 12.
ABSENT:	Councilmen Correia, Salvatore and Yurdin – 3.

The Motion for Passage the Second Time is Sustained.

REPORTS FROM COMMITTEE

COMMITTEE ON FINANCE COUNCILMAN JOHN J. IGLIOZZI, Chairman

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

COUNCIL PRESIDENT APONTE

An Ordinance Extending Existing Stabilization Plans for 60 Valley Street, LLC and 166 Valley Street, LLC on behalf of the Rising Sun Mills Project.

COUNCILMAN PRINCIPE Moves to amend the foregoing Ordinance, Seconded by COUNCILMAN HASSETT.

An Ordinance Authorizing the City of Providence to Finance the Design, Construction, Repair, Rehabilitation, Replacement and Improvement of Infrastructure in the City's Neighborhoods, including, but not limited to, streets, sidewalks, public parks, recreation facilities, bridges, sewers, drainage and city buildings by the issuance of not more than \$40,000,000 bonds and notes, As Amended.

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 HASSETT.

Discussion was held relative to the foregoing Ordinance.

COUNCILMAN PRINCIPE Calls the Question, Seconded by COUNCILMAN HASSETT by the following Roll Call Vote:

RESULT:	CALL THE QUESTION [9 TO 3]
MOVER:	Councilman Principe
SECONDER:	Councilman Hasset
AYES:	Council President Aponte, Councilwomen Castillo, Harris, Councilmen Hasset, Igliazzi, Jackson, Councilwoman Matos, Councilman Principe and Councilwoman Ryan – 9.
NAYES:	Councilmen Jennings, Narducci and Zurier – 3.
ABSENT:	Councilmen Correia, Salvatore and Yurdin – 3.

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 HASSETT, by the following Roll Call Vote:

RESULT:	READ/PASSED 1X (10 TO 1) (An Ordinance Extending Existing Stabilization Plans for 60 Valley Street, LLC and 166 Valley Street, LLC on behalf of the Rising Sun Mills Project), As Amended)
MOVER:	Councilman Principe
SECONDER:	Councilman Hassett
AYES:	Council President Aponte, Councilmen Hassett, Igliazzi, Jackson, Jennings, Councilwoman Matos, Councilmen Narducci, Principe, Councilwoman Ryan and Councilman Zurier – 10.
NAYES:	Councilwoman Castillo – 1.
ABSENT:	Councilmen Correia, Salvatore and Yurdin – 3.
RECUSED:	Councilwoman Harris – 1.

RESULT:	READ/PASSED 1X (11 TO 1) (An Ordinance Authorizing the City of Providence to Finance the Design, Construction, Repair, Rehabilitation, Replacement and Improvement of Infrastructure in the City's Neighborhoods, including, but not limited to, streets, sidewalks, public parks, recreation facilities, bridges, sewers, drainage and city buildings by the issuance of not more than \$40,000,000 bonds and notes, As Amended.)
MOVER:	Councilman Principe
SECONDER:	Councilman Hassett
AYES:	Council President Aponte, Councilwomen Castillo, Harris, Councilmen Hassett, Igliazzi, Jackson, Jennings, Councilwoman Matos, Councilmen Narducci, Principe and Councilwoman Ryan – 11.
NAYES:	Councilman Zurier – 1.
ABSENT:	Councilmen Correia, Salvatore and Yurdin – 3.

The Motion for Passage the Second Time is Sustained.

PERSONAL EXPRESSION

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

"I would like speak on a Point of Personal Expression on the value of free speech. It is unfortunate that in this City Council and in its committees people get shut down and are not permitted to speak when the fate of the city is at stake. In the Finance Committee, I have been told that I have permission to speak if I agree with the Chair and not if I don't. That is not only an abusive right to free speech, it's also a violation of Roberts Rules of Order and the Rules of the City Council. It is a joke when people say there has been an open debate when people can raise their hand in committee meetings and not be recognized. Without speaking with regard to any particular matter that is or is not on the agenda, I would encourage my colleagues to have greater respect for free speech. Maybe it would help us actually do a better job on the City Council. Thank you."

COUNCIL PRESIDENT APONTE, (By Request):

Resolution Authorizing Approval of the following Sole Source Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

CALE America, Inc. \$53,280.00
(Public Works)

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

CALE America, Inc. \$53,280.00
(Public Works)

Resolution Authorizing Approval of the following Sole Source Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

Cale America, Inc. \$43,200.00
(Public Works)

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

Cale America, Inc. \$43,200.00

(Public Works)

Resolution Authorizing Approval of the following Sole Source Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

Cale America, Inc. \$187,200.00
(Public Works)

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

Cale America, Inc. \$187,200.00
(Public Works)

Resolution Authorizing Approval of the following Sole Source Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

MacKay Meters, Inc. \$135,500.00
(Public Works)

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

MacKay Meters, Inc. \$135,500.00
(Public Works)

Resolution Authorizing Approval of the following Change Order #1 Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

Xerox \$150,000.00
(Public Works)

RESOLVED, That the Members of the Providence City Council hereby Authorize Approval of the following Change Order #1 Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

Xerox \$150,000.00
(Public Works)

Resolution Authorizing Approval to renew the current Contract Award for Fiscal Year 2017, by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

Building Futures \$150,000.00
(Planning & Development)

RESOLVED, That the Members of the Providence City Council hereby Authorize Approval to renew the current Contract Award for Fiscal Year 2017, by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

Building Futures \$150,000.00
(Planning & Development)

Resolution Authorizing Approval of the following Sole Source Three Year Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

W.B. Mason \$90,000.00
(Information Technology)

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

W.B. Mason \$90,000.00
(Information Technology)

COUNCIL PRESIDENT APONTE, (By Request):

Resolution Authorizing Approval of the following One Year Contract Extension Award by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

Jimmy Chiu \$30,000.00
(Information Technology)

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

Jimmy Chiu \$30,000.00
(Information Technology)

Resolution Authorizing Approval to renew the current Pharmacy Benefit Management Contract Award for a term of two years beginning July 1, 2016 through June 30, 2018, by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

CVS/Caremark \$19,292,000.00
(Human Resources)

RESOLVED, That the Members of the Providence City Council hereby Authorize Approval to renew the current Pharmacy Benefit Management Contract Award for a term of two years beginning July 1, 2016 through June 30, 2018, by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

CVS/Caremark \$19,292,000.00
(Human Resources)

Resolution Authorizing Approval to renew the current Stop Loss Insurance Contract Award for the term of one year beginning July 1, 2016 through June 30, 2017, by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

Blue Cross Blue Shield of RI \$922,000.00
(Human Resources)

RESOLVED, That the Members of the Providence City Council hereby Authorize Approval to renew the current Stop Loss Insurance Contract Award for the term of one year beginning July 1, 2016 through June 30, 2017, by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

Blue Cross Blue Shield of RI \$922,000.00
(Human Resources)

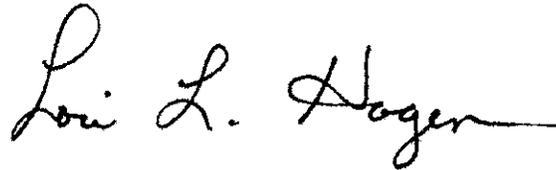
COUNCILMAN PRINCIPE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions and Refer Back to Board of Contract and Supply, Seconded by COUNCILMAN HASSETT.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Hassett
AYES:	Council President Aponte, Councilwomen Castillo, Harris, Councilmen Hassett, Igliazzi, Jackson, Jennings, Councilwoman Matos, Councilmen Narducci, Principe, Councilwoman Ryan and Councilman Zurier – 12.
ABSENT:	Councilmen Correia, Salvatore and Yurdin – 3.

The Motion for Passage is Sustained.

CONVENTION

There being no further business, on Motion of **COUNCILMAN PRINCIPE**, Seconded by **COUNCILMAN HASSETT**, it is voted to adjourn at 5:35 o'clock P.M., to meet again **THURSDAY, AUGUST 4, 2016 at 6:00 o'clock P.M.**

A handwritten signature in black ink that reads "Lori L. Hagen". The signature is written in a cursive style with a long horizontal flourish at the end.

**LORI L. HAGEN
CITY CLERK**