

**CITY OF PROVIDENCE
RHODE ISLAND**



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 16 City Council Regular Council Meeting, Thursday, May 20, 2021, 6:00 o'clock P.M.

PRESIDING

**COUNCIL PRESIDENT
JOHN J. IGLIOZZI**

CALL TO ORDER

PRESENT: COUNCIL PRESIDENT IGLIOZZI, COUNCILWOMEN ANTHONY, CASTILLO, COUNCILMEN CORREIA, ESPINAL, GONCALVES, COUNCILWOMAN HARRIS, COUNCILOR KERWIN, COUNCILWOMAN LAFORTUNE, COUNCILOR MILLER, COUNCILMAN NARDUCCI, COUNCILWOMAN RYAN, COUNCILOR SALVATORE AND COUNCILMAN TAYLOR – 14.

ALSO PRESENT: SHAWN SELLECK, CITY CLERK, TINA E. MASTROIANNI, FIRST DEPUTY CITY CLERK, SHERI A. PETRONIO, FIRST DEPUTY CITY CLERK, ANGELA J. HARRIS, SECOND DEPUTY CITY CLERK AND JEFFREY DANA, CITY SOLICITOR

**IN CITY COUNCIL
JUN 17 2021**

APPROVED:

Shawn Selleck **CLERK**

INVOCATION

The Invocation is given by **COUNCILWOMAN HELEN D. ANTHONY**.

"Dear wise and loving Father, first let my say thank You on behalf of all who are gathered here today. Thank You for Your many and abundant blessings. Thank You for life itself, for the measure of health, we need to fulfill our calling. For substance and for friendship. Thank You for the ability to be involved in useful work and for the honor of bearing appropriate responsibility. Thank You as well for the freedom to embrace You and the freedom to reject You. Thank You for loving us even so from Your boundless and gracious nature. Amen."

PLEDGE OF ALLEGIANCE

COUNCILWOMAN CARMEN CASTILLO Leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF MINUTES

Journal of Proceedings No. 13 of the Special Meeting of the City Council held April 29, 2021, are approved, as printed, on motion of **COUNCILMAN TAYLOR**, Seconded by **COUNCILWOMAN HARRIS**.

RESULT:	APPROVED (WITH VOTE) [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilwoman Harris
AYES:	Council President Igliozi, Councilwomen Anthony, Castillo, Councilmen Correia, Espinal, Goncalves, Councilwoman Harris, Councilor Kerwin, Councilwoman LaFortune, Councilor Miller, Councilman Narducci, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor- 10.

10:00 AM

10:00 AM

COUNCIL PRESIDENT JOHN J. IGLIOZZI - COMMITTEE ON FINANCE

Communication from Council President John J. Igliazzi, dated May 12, 2021, submitting his resignation as a Member of the Providence City Council Committee on Finance, effective Wednesday, May 12, 2021 at 11:59 o'clock P.M.

COUNCILWOMAN JO-ANN RYAN - COMMITTEE ON ORDINANCES

Communication from Councilwoman Jo-Ann Ryan, dated May 12, 2021, submitting her resignation as Chairwoman and Member of the Providence City Council Committee on Ordinances, effective Wednesday, May 12, 2021 at 11:59 o'clock P.M.

COUNCILWOMAN JO-ANN RYAN - SPECIAL COMMITTEE ON STATE LEGISLATIVE AFFAIRS

Communication from Councilwoman Jo-Ann Ryan, dated May 12, 2021, submitting her resignation as Chairwoman and Member of the Providence City Council Special Committee on State Legislative Affairs, effective Wednesday, May 12, 2021 at 11:59 o'clock P.M.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication from His Honor the Mayor, dated May 5, 2021, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended, Ordinance 2017, Chapter 207-4 § 58, and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day appointing **Stephany R. Lopes** of 15 Mary Avenue, East Providence, Rhode Island 02914, as the **Acting Administrator/Registrar of Vital Statistics** effective Monday, May 10, 2021.

Communication from His Honor the Mayor, dated May 11, 2021, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1006 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing **Demo Roberts** of 10 War Admiral Place, Pawtucket, Rhode Island 02861, to the position of **Acting Director of the Department of Public Property**.

COUNCILMAN TAYLOR Moves to Waive the Reading of items 4 through 8 and Receives the Several Communications, Seconded by COUNCILWOMAN HARRIS.

RESULT:	RECEIVED
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Communication from His Honor the Mayor, dated May 5, 2021, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended, Ordinance 2017, Chapter 207-4 § 58, and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day appointing **Stephany R. Lopes** of 15 Mary Avenue, East Providence, Rhode Island 02914, as the **Administrator/Registrar of Vital Statistics**, and respectfully submits the same for your approval.

COUNCIL PRESIDENT IGLIOZZI Refers the Communication to the Committee on Finance.

RESULT:	REFERRED
TO:	Committee on Finance

APPOINTMENTS BY THE CITY COUNCIL PRESIDENT

Communication from Council President John J. Igliazzi, dated May 14, 2021, appointing Councilwoman Nirva R. LaFortune and Councilor David A. Salvatore as members of the City of Providence COVID-19 Recovery & Resiliency Task Force.

COUNCIL PRESIDENT IGLIOZZI Receives the foregoing Communication.

RESULT:	RECEIVED
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ORDINANCE(S) SECOND READING

The Following Ordinances were in City Council May 6, 2021, Read and Passed the First Time and are Severally Returned for Passage the Second Time:

**COUNCIL PRESIDENT IGLIOZZI, COUNCILWOMAN LAFORTUNE,
COUNCILMEN NARDUCCI, CORREIA AND GONCALVES**

An Ordinance in Amendment of Chapter 2020-15, No. 145, Approved May 13, 2020, in accordance with Chapter 21, Section 9 of the Code of Ordinances of the City of Providence, Entitled: "Capital Equipment Budget," As Amended.

SECTION I. That the City of Providence enter into one or more lease purchase agreements or schedules thereto to finalize the purchase of the following list of capital items of improvements totaling, subsequently in accordance with the attached schedule of estimated payments:

**\$ 20,000,000 MASTER LEASE
Preliminary list of equipment**

Schedule A (\$15 million)

	Quantity	Price Per	Total Cost	Total for Department
PUBLIC PROPERTY				
Electric Vehicles & Charging Stations	TBD	TBD	\$500,000	
City Hall Interior Improvements	TBD	TBD	\$150,000	
Decorative Lighting Upgrades	50	\$2,000	\$100,000	
Various Software	TBD	TBD	\$774,023	
TOTAL PUBLIC PROPERTY				\$1,524,023
PARKS				
Skidsteer with Attachments	1	\$55,000	\$55,000	
Brush Chipper	1	\$85,000	\$85,000	
Stump Grinder	1	\$80,000	\$80,000	
Recycle/Trash Vehicle	1	\$80,000	\$80,000	
Hydrostatic Drive Large Volume Leaf Blower	2	\$14,000	\$28,000	
4x4 One Ton Dump Truck	3	\$63,000	\$189,000	
3/4 Ton Truck	3	\$48,000	\$144,000	
Ballfield Groomer	1	\$28,000	\$28,000	

11' Zero Turn Hydro Mowers	5	\$35,000	\$175,000	
3/4 Ton Van	1	\$40,000	\$40,000	
Landscape Trailer,	3	\$15,000	\$45,000	
5 Ton Dump 6x6	1	\$110,000	\$110,000	
Fork Lift	1	\$40,000	\$40,000	
Backhoe	1	\$120,000	\$120,000	
Pedestrian Bridge Security	2	\$50,000	\$100,000	
Cameras				
Pedestrian Bridge Maintenance	1	\$40,000	\$40,000	
Club Car				
TOTAL PARKS				\$1,359,000

PUBLIC WORKS

Roll-Off Truck (Highway Div)	1	\$150,000	\$150,000	
Front Loader (Highway)	1	\$130,000	\$130,000	
Landscaper Trucks	1	\$35,000	\$35,000	
Double Cab Pickups 4 x 4 with plows	2	\$55,000	\$110,000	
Six Wheelers	6	\$130,000	\$780,000	
Backhoe	1	\$100,000	\$100,000	
Chevy Utility Truck w/compressor & railings	2	\$45,000	\$90,000	
Plow, Sander, Saddle Tanks	8/8/12	\$80,000	\$640,000	
Mattress Shredder	1	\$175,000	\$175,000	
Street Sweeper (wet)	1	\$256,000	\$256,000	
TOTAL PUBLIC WORKS				\$2,466,000

RECREATION

Rec Center Security Upgrades	TBD	\$700,000	\$700,000	
TOTAL RECREATION				\$700,000

FIRE

Air Compressor for SCBA	1	\$151,000	\$151,000	
Ladder Truck Grant Match	1	\$93,000	\$93,000	
14' Inflatable Boat	1	\$15,000	\$15,000	
Pumper Truck	2	\$452,993	\$905,986	
Radio Upgrades	250	\$9,450	\$2,362,500	
Smoke Trailer	1	\$108,000	\$108,000	
Grant Match - Special Hazard Truck	1	\$73,700	\$73,700	
TOTAL FIRE				\$3,709,186

PEMA

SUV Emergency Management HQs	1	\$43,000	\$43,000	
EOC Computer Upgrade	39	\$1,000	\$39,000	
TOTAL PEMA				\$82,000

POLICE

BCI Van	1	\$50,000	\$50,000	
Narcotic Vehicle	1	\$15,000	\$15,000	
Patrol Cars	20	\$50,000	\$1,000,000	
Detective Vehicles	12	\$30,000	\$360,000	
Commercial Enforcement	1	\$45,000	\$45,000	
Radio Upgrades	575	\$5,477	\$3,149,275	
Speed Alert Radar Message	5	\$18,900	\$94,500	
FATS Simulated Indoor Training	1	\$80,016	\$80,016	
TOTAL POLICE				\$4,793,791

COMMISSIONER

Computer Upgrades	66	\$1,000	\$66,000	
TOTAL COMMISSIONER				\$66,000

COMMUNICATIONS

Microwave Radio Upgrade	1	\$300,000	\$300,000	
TOTAL COMMUNICATIONS				\$300,000

TOTAL MASTER LEASE SCHEDULE A				\$15,000,000
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Schedule B (\$5 million)

	Quantity	Price Per	Total Cost	Total for Department
FIRE				
Tower Ladder	1	\$1,100,000	\$1,100,000	
Ladder Truck	3	\$780,000	\$2,340,000	
Fire Engines	2	\$450,000	\$900,000	
Medical Rescue	1	\$240,000	\$240,000	
Miscellaneous Fire Department Accessories & Equipment	TBD	\$420,000	\$420,000	
TOTAL FIRE DEPARTMENT				\$5,000,000
TOTAL MASTER LEASE SCHEDULE B				\$5,000,000

SECTION II. This ordinance is an affirmative action of the City Council of the City of Providence toward the issuance of one or more lease purchase agreements or schedules thereto in accordance with the purposes of the laws of the State of Rhode Island. This ordinance constitutes the City's declaration of official intent pursuant to Treasury Regulation Section 1.150-2 to reimburse the City's General Fund for certain capital expenditures for the leased equipment paid on or after the date which is sixty (60) days prior to the date of this ordinance, but prior to the issuance of the lease purchase agreement. Such amounts to be reimbursed shall not exceed \$20,000,000, 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 III. If there are any residual dollars remaining from any unspent money that has been previously assigned, the City Council shall approve any such requests.

**FORMER COUNCIL PRESIDENT MATOS, COUNCILMAN CORREIA,
COUNCILWOMEN HARRIS, CASTILLO, COUNCILMAN GONCALVES,
COUNCILOR KERWIN, COUNCILWOMAN LAFORTUNE, COUNCILOR
MILLER, COUNCILMAN NARDUCCI, COUNCILWOMAN RYAN,
COUNCILMAN TAYLOR, COUNCILWOMAN ANTHONY, COUNCILMAN
ESPINAL AND COUNCILOR SALVATORE**

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

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, The City of Providence City Council had passed Council Resolutions 2014-552, 2014-553, and 2014-554 recommending best practices and implementation of processes which would improve transparency, simplify and streamline the application process, and create a system of tax stabilization which would protect the City's interests while incentivizing development; and

WHEREAS, The City of Providence intends to increase the pace of economic development, and thereby increase the city's tax base, it is vital that city provide property developers, entrepreneurs and investors with a predictable tax phase-in plan that will encourage investment in Providence. It is therefore in the public interest to develop a set of clear criteria for eligibility for tax stabilization, as well as a defined long-term plan to bring a project to full taxation;

Now Therefore, Be it ordained by the City of Providence:

Section 1. Chapter 21, "Revenue and Finance," is hereby amended to add Article XVIII, "The Providence Tax Stabilization Investment Act" as follows:

SUB-ARTICLE I. - REAL PROPERTY TAX STABILIZATION PROGRAM

SECTION 1. SCOPE

As of the effective date of this Ordinance, except for Category IV projects as defined in Section 3(B)(iv) below, all Tax Stabilization Agreements granted in the City of Providence shall be formed in accordance with the terms herein.

SECTION 2. DEFINITIONS.

"Eligible Property" shall mean all real property together with any and all buildings, structures, and/or improvements now or in the future located in the City of Providence and which are subject to a qualifying new construction or rehabilitation project as outlined in Section 3 below.

"Property Owner" shall mean any entity with a recorded legal or equitable right and/or interest in and/or to the Property, including any and all successors and assigns.

"Applicant" shall mean the Property Owner at the time an application is filed with the Tax Assessor's Office in accordance with Section 5 of this Sub-Article, or the Property Owner's respective past, present and future subsidiaries, affiliates, officers, directors, shareholders, members, principals, trustees, agents, employees, servants and representatives, and the past, present and future subsidiaries, affiliates, officers, directors, shareholders, members, principals, trustees, agents, employees, servants and representatives, heirs, personal representatives, successors and assigns of any and all of the foregoing.

"City of Providence" or "City" shall mean that municipal corporation established and organized pursuant to the General Laws of the State of Rhode Island and the City of Providence Home Rule Charter of 1980, as amended in accordance with Article XIII of the Rhode Island Constitution.

"Providence City Council" or "City Council" shall mean the legislative body of the City of Providence (defined above) established pursuant to Article IV of the City of Providence Home Rule Charter of 1980, as amended.

"Event of Default" shall mean any occurrence after the Effective Date (defined below) of non-compliance or violation of the terms and provisions of this Ordinance, whether affirmative or by omission, negligent or willful, for any or no reason. Technical default or substantive default shall be handle in the same matter.

"Effective Date" shall mean the date upon which a tax stabilization agreement is executed in contract form and ratified by a resolution of the Providence City Council.

SECTION 3. ELIGIBLE PROJECT.

Section 3.A. Grant. The City Council may grant a real property tax stabilization program for Eligible Properties where granting the stabilization will inure to the benefit of the City of Providence by reason of:

- (i) the willingness of a manufacturing or commercial concern to locate in the City; or
- (ii) the willingness of a manufacturing firm to expand facilities with an increase in employment or the willingness of a commercial or manufacturing concern to retain or expand its facility in the City and not substantially reduce its work force in the City; or
- (iii) an improvement of the physical plant of the City which will result in a long-term economic benefit to the City and state; or
- (iv) an improvement which converts or makes available land or facility that would otherwise be not developable or difficult to develop without substantial environmental remediation; or
- (v) the willingness of a manufacturing or commercial or residential firm or property owner to construct new or to replace, reconstruct, convert, expand, retain or remodel existing buildings, facilities, machinery, or equipment with modern buildings, facilities, fixtures, machinery, or equipment resulting in an increase or maintenance in plant, residential housing or commercial building investment by the firm or property owner in the City.

Notwithstanding anything contained in this Sub-Article, or anything other law, a tax stabilization agreement authorized under R.I.G.L. §44-3-9 and formed pursuant to this Sub-Article shall be afforded only to Eligible Property who pay the commercial tax rate.

Section 3.B. Qualifying New Construction or Rehabilitation. New Construction or Rehabilitation Projects must first meet the conditions set forth in Sections 3.A. and 3.B. above, and in addition fall into one of the following categories:

- (i) **Category I** - Certified project development costs for construction or rehabilitation are more than \$250,000.00 and less than or equal to \$3,000,000.00.
- (ii) **Category II** - Certified project development costs for construction or rehabilitation are more than \$3,000,000.00 and less than or equal to \$10,000,000.00.
- (iii) **Category III** - Certified project development costs for construction or rehabilitation are more than \$10,000,000.00 and less than or equal to \$50,000,000.00.
- (iv) **Category IV** - Certified project development costs for construction or rehabilitation are more than \$50,000,000.00.

SECTION 4. TAX STABILIZATION.

Section 4.A. Stabilization Terms and Plans. Under no circumstances shall the amount of tax to be paid under an Agreement formed pursuant to this Sub-Article in year one of any stabilization term be less than the amount of taxes paid for that property in the year before the Agreement becomes effective. For each category of Eligible Projects, as defined in Section 3(B) above, the Providence City Council establishes corresponding stabilization terms and plans as follows:

- (i) For Category I Projects, a five (5) year stabilization term is established. During the tax stabilization term, 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, is as follows: for the first tax year of the stabilization term, the Property Owner shall make a tax payment equal to the then-current assessment value set by the Tax Assessor (“Base Assessment”) multiplied by the then-current tax rate (hereinafter the “Base Assessment Tax”). For each tax year thereafter, the Property Owner will pay the Base Assessment Tax 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. See “Category I Tax Stabilization Plan” incorporated herein as if fully reproduced and attached hereto and as Appendix A.
- (ii) For Category II Projects, a ten (10) year stabilization term is established. During the tax stabilization term, 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: for the first two (2) tax years of the stabilization term, the Property Owner shall make a tax payment equal the then-current assessment value set by the Tax Assessor (“Base Assessment”) multiplied by the then-current tax rate (hereinafter the “Base Assessment Tax”). For each tax year thereafter, the Property Owner will pay the Base Assessment Tax 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. See “Category II Tax Stabilization Plan” incorporated herein as if fully reproduced and attached hereto and as Appendix B.
- (iii) For Category III Projects, a fifteen (15) year stabilization term is established. During the tax stabilization term, 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: for the first three (3) tax years of the stabilization term, the Property Owner shall make a tax payment equal to the then-current assessment value set by the Tax Assessor (“Base Assessment”) multiplied by the then-current tax rate (hereinafter the “Base Assessment Tax”). For each tax year thereafter, the Property Owner will pay the Base Assessment Tax 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. See “Category III Tax

Stabilization Plan” incorporated herein as if fully reproduced and attached hereto and as Appendix C.

- (iv) For Category IV Projects, a twenty (20) year stabilization term is established. During the tax stabilization term, 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: for the first five (5) tax years of the stabilization term, the Property Owner shall make a tax payment equal to the then-current assessment value set by the Tax Assessor (“Base Assessment”) multiplied by the then-current tax rate (hereinafter the “Base Assessment Tax”). For each tax year thereafter, the Property Owner will pay the Base Assessment Tax 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. See “Category IV Tax Stabilization Plan” incorporated herein as if fully reproduced and attached hereto and as Appendix D. Applicants may submit an application in accordance with Section 5 of this Sub-Article and such agreement will be subject to the terms and conditions of this Sub-Article as it would otherwise apply to Category IV Projects. Alternatively, Applicants with a Category IV Project may file an application with the Tax Assessor’s Office for a “Special Legislative Tax Stabilization Agreement” and said agreement’s terms will be ordained by a separate Ordinance of the Providence City Council in accordance with R.I. Gen. Laws § 44-3-9.
- (v) The City Council shall have the sole discretion to increase the number of Base Assessment Years in each Category found in this section by one (1) year and therefore decreasing the number of years over which the taxes will increase towards full taxation following the stabilization term in each Category established herein; however, this sub-section in no way intends to extend any of the stabilization terms of any Category.
- (vi) Notwithstanding anything mentioned in this Sub-Article, the Providence Code of Ordinances, as amended, or any other provision of law, the stabilization terms found in this Section 4.A. shall not be extended for any reason whatsoever, and a Property Owner’s execution of an agreement formed under this Sub-Article is evidence of assent thereto. This Section 4.A.v. shall in no way preclude either the Property Owner or the Property from obtaining additional tax stabilization agreements formed pursuant to this Sub-Article, if a new project for rehabilitation or new construction is proposed for such further tax stabilization agreement.

Section 4.B. Stabilization Plan Requirements Applicable to all Category Projects. The following provisions shall apply to all stabilization plans regardless of the Category Project for which it is granted:

Section 4.B.i. Payment Deadlines. During the tax stabilization terms as defined in Section 4.A. above and in accordance with the tax stabilization plan outlined therein, 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 4.B.ii. Obligation of Property Owner to Make Payment. During the tax stabilization term as defined in Section 4.A. above and in accordance with the tax stabilization plan outlined therein, stabilized tax payments shall be an obligation of the Property Owner.

Section 4.B.iii. 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 Ordinance, an Agreement formed hereunder, or otherwise.

Section 4.B.iv. Recording of Agreement, Running with Land. Upon the execution of an Agreement formed hereunder, the Property Owner shall cause said Agreement (or a notice thereof) 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 such an Agreement and shall be regarded as supplemental and in addition to the powers conferred by other state and local laws.

SECTION 5. APPLICATION PROCEDURE, APPROVAL, AND DRAFTING.

Section 5.A. Application. Every person or entity shall file an application for stabilization with the Office of the City Tax Assessor and the Providence City Clerk's Office. Said form applications shall be provided by the Tax Assessor. Applications shall include the following items before they can be considered complete or reviewed:

- (i) An affidavit disclosing all related individuals or entities of the Property Owner which could constitute those individuals or entities referenced in the definition of Applicant under Section 2 of this Sub-Article.
- (ii) Completed conceptual plans approved by the Department of Planning and Development evidencing the construction or rehabilitation;
- (iii) Explanation of the short-term and long-term benefits to the City of Providence from the Eligible Project;
- (iv) Statement on the increase in employment in the City of Providence as a result of the Eligible Project;

- (v) Affidavit that no building permits related to the Eligible Project have been pulled as of the date on which the application is submitted (Demolition Permits may be pulled prior to applying for an agreement under this Sub-Article);
- (vi) Executed Affidavit from Prime/General Contractor or CPA certifying the construction or rehabilitation costs showing that the Eligible Project fits into one of the Categories as defined in Section 3(B); and
- (vii) A Non-refundable filing fee of one-tenth and two-hundredths of one percent (0.12%) of the estimated project development costs.

Notwithstanding anything contained herein Section 5.A., the City Council may request additional or supplemental information prior to ratifying an Agreement formed in accordance with this Ordinance.

Section 5.B. City-wide Departmental Review. The Office of the City Tax Assessor, after in receipt of a completed application, shall forward copies of the application to the following departments: Planning and Development, Public Works, Inspection and Standards, Tax Collector, and Licensing. Copies shall also be sent to the City Council, the Office of the Mayor, and the City Solicitor's Office.

Section 5.B.i. Inspection and Standards. Within ten (10) business days of receipt of a completed application from the Tax Assessor's Office, the Director of Inspection and Standards shall certify in writing to the Tax Assessor that neither the Eligible Property nor the Applicant are subject to any open code, building, or zoning violations nor do they have any outstanding fines or liens for any such violations.

Section 5.B.ii. Public Works. Within ten (10) business days of receipt of a completed application from the Tax Assessor's Office, the Director of Public Works shall certify in writing to the Tax Assessor that neither the Eligible Property nor the Applicant are subject to any open violations nor do they have any outstanding fines or liens for any such violations.

Section 5.B.iii. Planning and Development. Within ten (10) business days of receipt of a completed application from the Tax Assessor's Office, the Director of Planning and Development shall certify in writing to the Tax Assessor whether or not the Applicant is the recipient of other forms of financial assistance from the City, and if so, whether the Applicant is current with loan payments and/or other financial obligations to the City as a result of such assistance. Any deficiencies identified herein must be resolved prior to the granting of a stabilization plan hereunder.

Section 5.B.iv. Tax Collector. Within ten (10) business days of receipt of a completed application from the Tax Assessor's Office, the City Tax Collector shall certify in writing to the Tax Assessor that neither the Eligible Property nor the Applicant are deficient in any taxes due and owing to the City. Also, the Tax Collector must request from the Applicant and forward with its certification a confirmation from the Rhode Island State Department of Revenue that neither the Eligible Property nor the Applicant are deficient in any taxes due and owing to the State. Any deficiencies identified herein must be resolved prior to the granting of a stabilization plan hereunder.

Section 5.B.v. Licensing. Within ten (10) business days of receipt of a completed application from the Tax Assessor's Office, the Director of Licensing shall certify in writing to the Tax Assessor that neither the Eligible Property nor the Applicant are subject to any outstanding judgments, fines, or fees handed out by either the Board of Licensing or the Department of Licensing. Any outstanding obligations identified herein must be resolved prior to the granting of a stabilization plan hereunder. Furthermore, approval under this Sub-section or the execution of an agreement formed pursuant to this Sub-Article shall in no way guarantee that the Property Owner or a tenant of the Property will be approved for a license from the Department of Licensing or the Board of Licensing. Said licenses shall be afforded pursuant to Chapter 14 of the Providence Code of Ordinances, as amended.

Section 5.B.vi. City Solicitor. Within ten (10) business days of receipt of a completed application from the Tax Assessor's Office, the Office of the City Solicitor shall certify in writing to the Tax Assessor that neither the Eligible Property nor the Applicant are involved in adverse litigation with the City nor that they have a legal demand directed toward the City.

Should any of the departments mentioned in Section 5.B. fail to certify in writing within ten (10) business days their approval or disapproval of the application submitted to the Tax Assessor, it shall be deemed approved. The City Council, prior to ratification, may seek certification from said department who failed to certify during the initial time period outlined herein Section 5.B.

Section 5.C. Approval of Application and Setting Base Assessment. Upon receipt of all writing certifications from the departments mentioned in Section 5(B) above, and after resolution of all deficiencies and outstanding obligations as identified therein, the Tax Assessor shall set the Base Assessment of the Eligible Property seeking a stabilization plan. Under no circumstances, shall the Base Assessment be less than the then-current assessment of the Eligible Property at the time of the submission of the application. Once the Base Assessment is set, the Tax Assessor shall forward a copy of the application, all certifications, comments, a fiscal note indicating the approximate amount of tax that the City will forego during the term of the tax stabilization agreement, and his/her certification that the application is complete to the Office of the City Solicitor.

Section 5.D. Drafting of Agreement. Within fifteen (15) days of receipt of all documents from the Tax Assessor as mentioned in Section 5(C) above, the Office of the City Solicitor shall draft an agreement outlining a stabilization plan in accordance with this Ordinance and the terms of the application as approved.

Section 5.E. Council Review. Upon completion of drafting, the Office of the City Solicitor shall forward the agreement (in contract form) accompanied by a resolution authorizing and adopting the same to the City Council President or his/her designee for introduction. Notwithstanding anything in this Ordinance, should a department fail to act within the time limits prescribed in Section 5(B) through 5(D), any member of the City Council may submit a copy of said application, an agreement based on said application, and a resolution ratifying the agreement to the City Council for introduction.

Notwithstanding anything mentioned in this Sub-Article, the first five (5) agreements formed hereunder where new construction or rehabilitation project development costs are more than \$50,000,000.00 and which project is located in the I-195 District or the Capital Center District shall not require approval of the City Council or Mayor.

SECTION 6. ADDITIONAL REQUIREMENTS FOR STABILIZED PROJECTS.

Section 6.A. Commencement of Performance. Unless otherwise provided for in an agreement executed pursuant to this Ordinance, construction or rehabilitation shall commence within twelve (12) months and shall obtain a Certificate of Occupancy from the Department of Inspections and Standards within thirty-six (36) months of the effective date of said agreement. Property Owner/Applicants who fail to meet either of these deadlines will be required to retroactively pay the difference between their actual stabilized tax payments and what they would have paid if ineligible for the specified tax considerations. The owner may, twelve (12) months prior to the applicable deadline, submit a request to the city council for approval of an extension to such applicable deadline

Section 6.B. Permits and Certificates of Occupancy. Property Owner/Applicant 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.

Section 6.C. 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 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 6.D. Internal Revenue Service reporting. Except as provided under R.I.G.L. § 28-42-8, any person performing services at the Eligible Property shall annually receive either a W-2 statement or an IRS Form 1099.

Section 6.E. First Source. 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 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, including at least one (1%) percent of the total amount of discounted taxes to be directed to the first source trust fund, per Section 21-95.

Section 6.F. Equal Employment. 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 work with the City's Office of Human Resources, Division of Equal Employment Opportunity to ensure the City's goals to prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities, and prohibit discrimination against all individuals based on their race, color, religion, sex, sexual orientation, gender identity or national origin are met. Moreover, the Property Owner will take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, protected veteran status or disability.

Section 6.G. "Buy Providence" Initiative. 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 best efforts to ensure that construction materials are purchased from economically competitive and qualified vendors located in the city of Providence. In furtherance of this effort, the project site owner will work with the city to develop a list of Providence vendors and subcontractors in order to create a preferred vendor list of qualified and economically competitive vendors for the construction of the project. Furthermore, once the project site owner constructs the development, the project site owner will use good faith efforts to conduct ongoing business with and provide preference to economically competitive and qualified Providence businesses.

Section 6.H. Apprenticeship.

Section 6.H.i. Requirement. Except for Category I Projects, as defined in Section 3(B)(i), the Property Owner shall ensure that one hundred (100) percent of the hours worked on the project shall be performed by all trade construction contractors and subcontractors who have or are affiliated with an apprenticeship program as defined in 29 C.F.R. § 29 et seq. for craft employed. Additionally, the Property Owner shall ensure that all bidding documents for the work to be performed on the Eligible Project includes express and conspicuous language evidencing the requirement found in this sub-section. As part of its contract with the construction manager and/or general contractor, the Property Owner shall require that not less than ten (10) percent of the total hours worked by the contractors' and subcontractors' employees on the project are completed by apprentices registered in the aforementioned apprenticeship programs.

As part of its contract with the construction manager and/or general contractor, the Property Owner shall, require that all contractors and subcontractors submit to the City quarterly verification reports to ensure compliance with this section. Failure to comply with or meet the requirements of this subsection shall be a material violation of the owner's obligations under this chapter.

Section 6.H.ii. Exemptions. The Property Owner, its Prime Contractor, or any other person/entity authorized by the Property Owner, may petition the City of Providence's Director of Planning and Development, or his/her designee to adjust the requirements found herein this Section 6.H to a lower percentage upon a showing that:

1. 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
2. The size and scope of the work will not allow for the contractor to comply with apprenticeship ratio requirements for the craft affected; or
3. For any other non-economic justifiable reason that demonstrates good cause.

Accompanying the petition mentioned in this sub-section, the petitioning entity must provide contemporary evidence of the efforts taken to comply with this section, including but not limited to the bidding and responsive documents for the scopes of work for which the petitioning entity is seeking an exemption.

Section 6.I. Project Compliance.

Any and all tax stabilization agreements granted pursuant to this Ordinance shall in no way confer that the underlying project (construction or rehabilitation) is either compliant with the Providence Zoning Ordinance or has received the necessary approvals from the Historic District Commission, the Downtown Design Review Committee, the Capital Center Commission, the City Plan Commission, the Zoning Board of Review, or the I-195 Redevelopment Commission (as applicable). Default under an agreement executed pursuant to this Ordinance for failure to receive one or more of the above-mentioned approvals shall not entitle an applicant to a refund of their application fee.

Section 6.J. Prohibited and Restricted Uses.

Section 6.J.i. Prohibited Uses. Notwithstanding the eligibility requirements found in Section 3 of this Sub-Article, nor any other provision in the Providence Code of Ordinances or the Rhode Island General Laws to the contrary, the following uses, as defined by Chapter 27 of the Providence Code of Ordinances, shall not be permitted a tax stabilization agreement formed pursuant to this Sub-Article:

1. Adult use, including adult bookstore/retail, adult arcade, adult cabaret, adult motion picture theater, and adult hotel/motel;
2. Compassion center/cultivation center;
3. Contractor storage yard;
4. Fraternity/sorority;
5. Landfill;
6. Materials processing of scrap metal;
7. Storage yard-Outdoor; and
8. The following Retail Uses:
 - a. Gun Stores
 - b. Payday Lending
 - c. Check-cashing Operations

Section 6.J.ii. Restricted Uses. Notwithstanding the eligibility requirements found in Section 3 of this Sub-Article, nor any other provision in the Providence Code of Ordinances or the Rhode Island General Laws to the contrary, if any the following uses, as defined by Chapter 27 of the Providence Code of Ordinances, exceeds twenty-five percent (25%) of the usable square footage of the project, then a tax stabilization agreement formed pursuant to this Sub-Article shall not be permitted:

1. Bar;
2. Nightclub; and
3. Retail sales of alcohol.

Section 6.K. City of Providence Parks and Recreation Trust Fund. Upon passage of this Ordinance by the Providence City Council, the Property Owner party to each tax stabilization agreement formed pursuant to this Sub-Article 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 of Providence Parks and Recreation Trust Fund.” The Board of Park Commissioners shall establish regulations pertaining to the disbursement of funds.

Section 6.K.i. Payments to the Fund. The Property Owner shall make annual payments to the Fund in the amount of seven percent (7%) of the estimated total of taxes abated (as shown in the Tax Assessor’s Fiscal Note in Section 5.C) amortized over the term of the tax stabilization agreement. Notwithstanding anything mentioned in this sub-section, the Property Owner shall pay the following amounts in the Fund annually in the tax years in which the Property Owner pays a base assessment tax: (1) for Category II Projects Property Owners shall pay \$1,000.00 each tax year; (2) for Category III Projects Property Owners shall pay \$1,500.00 each tax year; and (3) for Category IV Projects Property Owners shall pay \$2,500.00 each tax year. Said annual payments will be payable within thirty (30) days of receipt of an invoice for the same from the Office of the Tax Assessor. If, for any reason, this Ordinance is retroactively revoked, payments to the fund shall remain and will not be forfeited due to a default.

Section 6.K.ii. Investment and Distribution of the Fund. The trust fund will be invested by the Board of Investment, and an annual distribution of the investment shall be used to provide funds to the Department of Parks and to the Department of Recreation for capital improvements in neighborhood parks and recreation centers. Said annual distribution shall not supplant any funds that are provided to the Department of Parks and the Department of Recreation through the operating budget. The aggregate amount of the distribution in any individual year shall not exceed four percent (4%). Distributions may never exceed the earnings in the year of distribution or reduce the corpus of the fund. The first distribution from the fund shall not occur until the fifth year after the first payment to the fund has been made.

Section 6.L. Affordable Housing Trust. Pursuant to City of Providence Ordinance Chapter 2019-91 No. 355, as amended (the “Trust Ordinance”), ten percent (10%) of revenues collected annually from all Tax Stabilization Agreements shall be transferred and deposited into the Providence Housing Trust Fund.

Section 6.M. Payment of Area Standard Wages. All construction workers shall be paid in accordance with the wages and benefits required by R.I. Gen. Law § 37-13-1 et seq. and all contractors and subcontractors shall file certified payrolls on a monthly basis to the Department of Planning with the same information required by R.I. Gen. Law §37-13-1 et. seq. Not paying any worker in accordance with this section shall constitute a material violation of this ordinance and/or a material breach of the developer’s agreement with the City and the City or City Council shall have the discretion to initiate the Default Notice and Cure provisions outlined in Section 11 of this Ordinance. This section shall not apply to Category I and Category II projects.

Section 6.N. Post Construction Jobs. Applicants for any Tax Stabilization Agreement under this Ordinance shall be eligible for tax relief provided in the agreement, provided that the applicant commits that, effective 180 days following the issuance of a certificate of occupancy, the applicant will maintain a wage for all employees at the project subject to tax stabilization of at least twice the United States Department of Health and Human Services Federal Poverty Guideline for a family of three (3), divided into an hourly wage at forty (40) hours per week, fifty-two (52) weeks per year, provided that up to five dollars (\$5.00) per hour of this wage requirement may be offset dollar-for-dollar by any payments the employer makes to fund the employee’s health care or retirement, and provided further that any provision of this subsection may be waived by a clear and unmistakable waiver in an unexpired collective-bargaining agreement. This section shall not apply to Category I and Category II projects.

SECTION 7. TRANSFER OF PROPERTY.

Section 7.A. Transfer Generally. Stabilized tax payments shall be an obligation of the Property Owner during any of the tax stabilization terms as defined in Section 4.A. above and in accordance with the tax stabilization plan outlined therein, without regard to any transfer of the Property. Additionally, in accordance with Section 4.B.iv, the burdens and benefits of this Agreement will run with the land, and as for payment of taxes shall run in favor of the City regardless of any transfer of ownership. The Property Owner must provide prior written notice to the City before any transfer of the Property so that the City may make a determination, in its sole discretion, as to whether or not a stabilization agreement formed pursuant to this Ordinance will continue.

Section 7.B. Transfer to Tax Exempt Entities. In the event that the Property Owner transfers the Property to a tax-exempt entity, any stabilization agreement formed pursuant to this Ordinance shall be void ab initio and any entity holding an equitable or legal interest in the Eligible Property on or after the effective date of any such agreement shall be jointly and severally liable for the full taxes due and owing from said Effective Date forward.

Section 7.C. Post-Expiration Transfers. In the event that any Property Owner transfers a stabilized Eligible Property to a tax-exempt entity within five years from the end of any tax stabilization term, as defined in Section 4.A. 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 8. ANNUAL PROGRESS REPORT.

Section 8 A. Reporting Generally: The Property Owner shall provide monthly reports to the City Council, or the Council's designee, and in such instance that the property subject to the Agreement formed hereunder is within the jurisdiction of the I-195 Commission then the Commission as well, on its progress in complying with the provisions of any agreement formed pursuant to this Ordinance.

Section 8 B. Reporting Requirements: The reporting format shall be determined and provided by the City Council of Providence in its sole discretion to document construction-based employment information and demographics related to the terms of this ordinance. If the Property Owner, its developer and/or other person/entity authorized by the Property Owner, does not timely submit their monthly reports to the City Council, or its designee, the City Council or its designee shall notify the Property Owner. The Property Owner shall have ten (10) days thereafter to provide the information to the City or its designee. The project site owner, the director of planning and development, the director of first source, and a representative of the third-party entity monitoring apprenticeship requirements shall annually report to the city council on progress in complying with the provisions of this ordinance, including but not limited to, sections 4 and 6.

Specifically, its report shall include a performance report on construction or rehabilitation with evidence of final construction costs, status of stabilized tax payments, and evidence of compliance with Section 6 above. Upon receipt and review, the City Council may require and request additional information.

SECTION 9. SEVERABILITY.

If any one or more subsections of this Ordinance shall for any reason be adjudged unconstitutional or otherwise invalid, the judgment shall not affect, impair, or invalidate the remaining sections or subsections

SECTION 10. APPLICABLE LAW.

This stabilization program established herein and any agreements formed pursuant to this Ordinance 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 11. DEFAULT NOTICE AND CURE.

Upon presentation of evidence suggesting a possible Event of Default (as defined in Section 2 above), the City Solicitor shall provide written notice to the Property Owner of such potential Event of Default ("First Notice") and notify the Property Owner that it shall have sixty (60) days, from the date the Notice herein is sent by the City Solicitor, to cure any Event of Default under an Agreement formed pursuant to this Ordinance ("Initial Cure Period"). If said Event of Default is not cured within the Initial Cure Period, then the City Solicitor shall notify the Property Owner in writing ("Second Notice") that the Agreement is terminated and that a bill will be sent out by the Tax Assessor sixty (60) days from the date of the Second Notice. Said bill will be for the abated taxes to date and those amounts including, but not limited to, any amounts of taxes due and owing but not paid, interest, penalties, assessments, and fees associated therewith ("Delinquency Bill").

The Property Owner may petition the City Council in writing for additional time beyond the Initial Cure Period in order to cure any alleged Event of Default ("Extended Cure Period"). Once filed with the City Clerk, a petition requesting an Extended Cure Period will toll the time period between the Second Notice and the issuance of the Delinquency Bill until the petition is either approved, denied, or withdrawn. An indefinite continuance shall constitute a denial. Notwithstanding, anything contain herein, in the event that the City Solicitor does not issue the First Notice and upon presentation of evidence suggesting a possible Event of Default, pursuant to Article IV Section 401(d) of the City of Providence Home Rule Charter of 1980, as amended the Providence City Council hereby authorizes the City Council President or his/her designee to hire outside counsel to proceed on behalf of the City of Providence under this Section 11.

SUB-ARTICLE II. - [RESERVED]

Section 2. The City Tax Assessor shall develop and promulgate rules and regulations which shall guide the implementation of this Ordinance.

Section 3. This Ordinance shall be effective upon passage by the Providence City Council, approval by the Mayor, or operation by law.

Section 4. Upon passage of this Ordinance, the following sections of the Providence Code of Ordinances shall not be repealed and reserved: Chapter 21, Articles VIII, XVI, and XVII. All stabilization ordinances and agreements already effective or for which completed applications have been accepted prior to passage of this Ordinance shall remain effective and the terms thereof shall not be disturbed by the passage of this Ordinance.

COUNCILWOMEN RYAN, ANTHONY, LAFORTUNE, COUNCILMEN NARDUCCI, CORREIA AND GONCALVES

An Ordinance in Amendment of Chapter 21 "Revenue and Finance", Article V of the Code of Ordinances Entitled: "Real Property Tax Exemption for Elderly", Amending Section 21-111 "Exemption Granted; Conditions".

SECTION 1: Sec. 21-111 of the Code of Ordinances of the City of Providence, entitled "Exemption granted; conditions", is hereby further amended by making the following changes to the language of Article V, Section 21-111 with additions underlined and deletions struck out:

Sec. 21-111. - Exemption granted; conditions.

A real property exemption from assessed value taxation is granted to any person sixty-five (65) years of age or over, who owns and occupies residential property located in the City of Providence, as qualified in section 21-182 of article X of this Code, provided, however, that only one (1) such exemption shall be granted to co-tenants, joint tenants and tenants by the entirety who are sixty-five (65) years of age or over. Such exemption shall be granted upon proof of the following:

- (1) Age;
- (2) Ownership of said residential property;
- (3) Occupancy of same;
- (4) That said taxpayer is legally domiciled in the City of Providence.

Such proof shall conform to the provisions of section 21-112 of this article. Nothing contained herein shall abrogate or affect the authority conferred upon the city assessor by the provisions of R.I.G.L. 1956 § 44-3-3(16), as amended.

SECTION 2: This ordinance shall take effect upon passage.

COUNCIL PRESIDENT IGLIOZZI, (By Request):

An Ordinance Establishing a Tax Stabilization Agreement for 49 Westfield, LLC.

WHEREAS, 49 Westfield, LLC (“Project Owner”) is the owner of certain real property located in the City at 49 Westfield Street, Assessor’s Plat 30, Lot 355; 42 Warren Street, Assessor’s Plat 30, Lot 334; 44 Warren Street, Assessor’s Plat 30, Lot 339; 45 Warren Street, Assessor’s Plat 30, Lot 307; 50 Warren Street, Assessor’s Plat 30, Lot 338; 212 Harrison Street, Assessor’s Plat 30, Lot 344; 17 Fuller Street, Assessor’s Plat 30, Lot 308; 72 Wilson Street, Assessor’s Plat 30, Lot 284; and 78 Wilson Street, Assessor’s Plat 30, Lot 285; and

WHEREAS, Project Owner has proposed and committed to rehabilitating the existing lots into mixed use buildings consisting of live-work units, artist studios, make space and an indoor food hall; and

WHEREAS, This is Phase I of a two phase Project and a partnership with the City of Providence relative to Phase I will enable the applicant to complete Phase II which is a workforce house development that will increase the availability of quality workforce and affordable housing in the City of Providence; 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 Project Owners to rehabilitate existing historic buildings and return them to useful service featuring commercial and residential uses thereby improving the physical plant of the City, which will result in a long-term economic benefit to the City and State; and

(B) The willingness of Project Owner to commit by agreement to make a significant investment in the above-referenced property, by rehabilitating these historic buildings into mixed use buildings featuring commercial and residential uses in the heart of downtown Providence. This will enhance the tax base of the surrounding area, and generate significant tax revenues for 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 located in the City at 49 Westfield Street, Assessor’s Plat 30, Lot 355; 42 Warren Street, Assessor’s Plat 30, Lot 334; 44 Warren Street, Assessor’s Plat 30, Lot 339; 45 Warren Street, Assessor’s Plat 30, Lot 307; 50 Warren Street, Assessor’s Plat 30, Lot 338; 212 Harrison Street, Assessor’s Plat 30, Lot 344; 17 Fuller Street, Assessor’s Plat 30, Lot 308; 72 Wilson Street, Assessor’s Plat 30, Lot 284; and 78 Wilson Street, Assessor’s Plat 30, Lot 285

“Property Owner” shall mean the Project Owner or any other respective entities with the legal or equitable right and/or interest in and/or to the Property, including any and all successors and assigns.

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 a twelve (12) 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 December 31, 2019 and terminating on December 31, 2030. (Tax Years 2020- 2031).

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: For tax years 2020 through and including tax year 2022, the Property Owner shall make a tax payment equal to the taxes due and owing for the December 31, 2019 assessment value multiplied by the 2020 Tax Year tax rate (hereinafter the “Base Assessment Tax”). For each tax year thereafter, the Property Owner will pay the Base Assessment Tax plus a percentage of the difference between the Base Assessment Tax on the Property and the taxes due and owing on the then-current assessed value of the Property multiplied by the then-current rate. 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 Owners 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. It is understood that the stabilized tax payments made hereunder are deemed by the City to be tax payments, and the Property Owner shall be entitled to all of the rights and privileges of a taxpayer in the City, including, without limitation, the right to challenge and appeal any assessment and/or reassessment.

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 Agreement, Running with Land. Upon the execution of this Agreement, the Property Owner shall cause a Notice of this Agreement to be recorded at its expense in the City's official public land evidence records.

SECTION 3. PERFORMANCE OBLIGATIONS.

Section 3.1. Commencement of Performance.

Rehabilitation and/or construction shall commence within twelve (12) months of the effective date of this Agreement.

Section 3.2. Permits and Certificates of Occupancy.

Property Owners 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. Stabilized tax payments shall be an obligation of the Property Owner 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. Additionally, in accordance with Section 2.7, the burdens and benefits of this Agreement will run with the land, and as for payment of taxes shall run in favor of the City regardless of any transfer of ownership. The Property Owner further agree to provide written notice to the City within thirty (30) days of any transfer of title to the real estate.

Section 4.2. Transfer to Tax Exempt Entities. In the event that one of the respective entities comprising the Property Owner transfers one of the lots comprising the Property to a tax exempt entity, this Agreement shall be void ab initio as it pertains to the respective lot being transferred and the owner thereof and any entity holding the legal right or legal interest in the that respective lot at the time of said transfer shall be liable for the full taxes due and owing from the Effective Date of this Agreement and forward.

Section 4.3. Post-Expiration Transfers. In the event that one of the respective entities comprising the 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, the then respective entity owning the applicable lot at the time of said sale 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. Property Owner shall make a good faith effort to award to Minority Business Enterprises as defined in Rhode Island General Laws, Section 31- 14.1 ("MBE Act") no less than 10% of the dollar value of the construction costs for the Project (as determined in accordance with the rules and regulations promulgated pursuant to MBE Act). Property Owners shall make a good faith effort to award to Women Business Enterprises (WBE's) no less than 10% of the dollar value of the construction costs for the Project (as determined in accordance with Section 21-52 of the Code of Ordinances of the City of Providence). Property Owner will request the City MBE/WBE office and its Supplier Diversity Director to establish a list of qualified MBE/WBE companies in order to satisfy its MBE/WBE construction goals. In this manner, the City will assist Property Owner in meeting said goals. The process of participating with the MBE/WBE office and its Supplier Diversity Director shall begin upon passage in order to develop a designated MBE/WBE subcontractor list which will encourage MBE/WBE participation and joint ventures with other members with the construction industry.

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. Pursuant to the City of Providence First Source Ordinance, the Project Owner shall enter into a First Source Agreement covering the hiring of employees necessary to complete the proposed Project and throughout the term of this Agreement. Project Owner shall work in conjunction with the Director of First Source Providence to develop the First Source Agreement.

Section 5.4. "Buy Providence" Initiative. Property Owner will use good faith efforts to ensure that construction materials are purchased from economically competitive and qualified vendors located in the City of Providence. In furtherance of this effort, Property Owners will work with the City to develop a list of Providence vendors and subcontractors in order to create a preferred vendor list of qualified and economically competitive vendors for the construction of the Property. In order to further that effort, Property Owner will hold seminars/meetings upon passage of this Ordinance, with the Providence MBE/WBE office, the Supplier Diversity Director, the Director of First Source Providence and the Providence Chamber of Commerce to inform the local economy of the Property Owner's development plans in order to maximize the opportunities for Providence businesses to work with Property Owner in providing on-going services, equipment and materials. To be clear, nothing in the foregoing shall be construed so as to obligate Property Owner to purchase construction materials from any vendor that has not provided the lowest qualified bid in connection with the provision of such materials, as reasonably determined by Property Owner.

Section 5.5. Apprenticeship. The Property Owner shall ensure that one hundred (100) percent of the hours worked on the project shall be performed by trade construction subcontractors 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 First Source Director 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 First Source Director 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.

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 a Notice of 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 within thirty (30) days of 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 other financial obligations to the City of Providence.

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) days, then the Property Owner shall request an additional reasonable period of time from the Tax Assessor (and if an agreement on the period of time cannot be reached between the Property Owner and the Tax Assessor, then the Property Owner shall request such additional time from the City Council) to cure such default. Such reasonable request shall be granted provided that the Property Owner shall have commenced to cure such default within said period, such cure shall have been diligently pursued by the Property 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 sole reasonable discretion..

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, or by nationally recognized overnight courier (such as Federal Express or UPS) 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

If to: 49 Westfield, LLC
40 Sprague Street, Suite 1E
Providence, RI 02907
fm@knightswan.com
Copy to:
Nicholas Hemond, Esq.
Darrow Everett, LLP
One Turks Head Place, Suite 1200
Providence, RI 02903

SECTION 8. RIGHTS AND REMEDIES.

Section 8.1. 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 8.2. 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 8.3. 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 8.4. 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 or if there is a substantial change in circumstances regarding the value of the Property. A substantial change in circumstances shall include a vacancy or partial vacancy at the Property, loss of use of the Property as a result of fire, flood or other force majeure, loss of revenue generated by the Property or decline in the real estate market such that it negatively impacts the value of the Property. 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 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, and one final report following the issuance of a certificate of occupancy for the work contemplated hereby (which reporting may be done on a Property by Property basis). Specifically, its report shall include a performance report on rehabilitation and/or improvements with evidence of final construction costs, status of stabilized tax payments, and evidence of employment compliance pursuant to Section 6 above. Upon receipt and review, the City Council may require and request reasonable additional non-confidential or proprietary information.

Section 9.2. Monitoring Fee. Within thirty (30) days of receiving a statement from the Tax Assessor, the Property Owner shall remit a monitoring/compliance fee to the City in the amount of 0.01 percent of the total project costs as presented in the Property Owner's application for each respective tax year during the term of this Agreement.

Section 9.3. Agreement to Contribute to Parks and Recreation Trust Fund. Upon ratification of this Agreement by the City Council, the Property Owner shall, within thirty days of receiving a statement from the Treasurer, 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 Five (5) percent of the abated tax for each respective tax year, 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 after the Commencement Date. Additionally, in the first three years of this Agreement, the Property Owner shall contribute a total of \$2,5000.00 in each year. 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. By way of example only, if the tax savings for Year 4 is \$500,000, the contribution for Year 4 shall be \$25,000.

- (b) Investment and Distribution of the Fund. The trust fund will be invested by the Board of Investment Commissioners, and an annual distribution of the investment shall be used to provide funds to the Department of Parks and to the Department of Recreation for capital improvements in neighborhood parks and recreation centers. Said annual distribution shall not supplant any funds that are provided to the Department of Parks and the Department of Recreation through the operating budget. Distributions may never exceed the earnings in the year of distribution or reduce the corpus of the fund. The first payment from the fund shall begin in the fifth year after the establishment of the fund.

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 Owners 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.

Exhibit A

<u>Year</u>	Percentage of Difference between Base Assessment and Current Full Value Assessment
Year 4	11%
Year 5	22%
Year 6	33%
Year 7	44%
Year 8	55%
Year 9	66%
Year 10	77%
Year 11	88%
Year 12	95%

COUNCILWOMAN ANTHONY, COUNCILMEN ESPINAL, GONCALVES, COUNCILOR KERWIN, COUNCILWOMAN LAFORTUNE, COUNCILOR MILLER, COUNCILWOMEN HARRIS, CASTILLO AND COUNCILOR SALVATORE

An Ordinance Amending Chapter 2 "Administration" by Repealing Article II, Section 2-45 and adding Article VIII ½ "Office of Sustainability.

SECTION 1.

Chapter 2 "Administration", Article II "Mayor and City Council", Sec. 2-45 "Sustainability Director" is hereby repealed.

SECTION 2.

Chapter 2 "Administration" is hereby amended by adding Article VIII ½ "Office of Sustainability" as follows:

ARTICLE VIII ½ - Office of Sustainability

Sec. 2-141. Established.

There is hereby established an Office of Sustainability.

Sec. 2-142. Director.

There shall be a director of sustainability appointed by the mayor with the approval of the council. The Director of Sustainability shall be a full-time employee and shall not serve in any other capacity or position within the city. The Director of Sustainability shall have the status of a department head and shall serve at the pleasure of the mayor. The Director of Sustainability shall be a person holding at least a bachelor's degree from an accredited college or university, and who has had a minimum of five (5) years' experience in the administration or supervision of developing and implementing a sustainability action plan or other relevant experience.

Sec. 2-143. Purpose and Duties.

- (a) The Office of Sustainability will create policies and programs to create and promote a healthy, low-carbon, climate resilient and environmentally just city. The office will adopt and promote the following citywide goals:
 - (1) A carbon neutral city by 2050, with the following interim targets:
 - a. 50% carbon free electricity by 2035 and 100% carbon free electricity by 2050, 30% of which is local renewable generation;
 - b. 48% of residential heating will be converted to heat pumps by 2035 and 90% will be converted by 2050;
 - c. 45% of commercial heating will be converted to heat pumps by 2035 and 85% will be converted by 2050;
 - d. 11% reduction in Vehicle Miles Traveled (VMT) by 2035 and a 20% reduction by 2050;
 - e. 43% of VMTs will be by vehicles powered by electricity by 2035 and 85% will be by 2050.
 - f. 100% of municipal buildings' electricity will be renewable by 2030;
 - g. 100% of municipal buildings' heating will be renewable by 2040;
 - h. 100% of the city's fleet and school buses will use renewable energy by 2040;
 - (2) Access to housing with affordable, efficient and clean energy, while eliminating fossil fuel use in all buildings;
 - (3) Healthy air and community spaces free from pollution, with a focus on port-area neighborhoods and other communities exposed to the highest rates of pollution;
 - (4) A sustainable, zero-waste economy, with a focus on support for local businesses;
 - (5) Access to clean and efficient public transportation and infrastructure that support walking and bicycling, and otherwise reducing carbon and co-pollutants;
 - (6) Preparing the city for the impacts of climate change.

- (b) The duties of the Office of Sustainability shall include, but are not limited to, the following:
- (1) Monitoring and documenting citywide carbon pollution and co-pollutants;
 - (2) Monitoring progress for meeting goals and targets set forth in this ordinance and in the Sustainable Providence and Climate Justice Plans by maintaining a public-facing online dashboard that tracks the Plans' metrics and targets;
 - (3) Reviewing the city's Capital Improvement Plan to ensure infrastructure and other investments are aligned with goals and targets set forth in this ordinance and in the Sustainable Providence and Climate Justice Plans;
 - (4) Monitoring the implementation and enforcement of policies and ordinances aimed at improving sustainability;
 - (5) Producing a comprehensive update to the Sustainability and Climate Justice Plans every five (5) years, based on the most up-to-date science and community input;
 - (6) Producing a comprehensive greenhouse gas inventory every three (3) years, in accordance with the Global Protocol for Community-Scale Greenhouse Gas Emissions;
 - (7) Partnering and collaborating with environmental justice communities;
 - (8) Producing annual reports for the mayor and council including, but not limited to, the status of the City's progress in achieving each of the purposes set forth in paragraph 2 above, and all matters monitored and documented by the Office of Sustainability;
 - (9) Developing and promulgating regulations to reflect and implement the purposes of the Office of Sustainability.

Sec. 2-144. Sustainability Commission.

- (a) There shall be a Sustainability Commission consisting of eleven (11) members, three (3) of whom shall be appointed by and serve at the pleasure of the mayor, three (3) of whom shall be appointed by and serve at the pleasure of the council; two (2) of whom shall be appointed by the by the Racial and Environmental Justice Committee (REJC) or other local Environmental Justice organization; two (2) of whom shall be appointed by youth-led organizations; and one (1) of whom shall be appointed by the Environmental Council of Rhode Island.
- (1) Members shall serve for no more than six consecutive (6) years.
 - (2) Members shall have strong community ties and a wide range of expertise related to community needs and priorities, sustainability and climate policies.
 - (3) Membership of the Sustainability Commission should reflect diverse constituents and businesses.

- (b) The Sustainability Commission shall meet as often as necessary to fulfill the following responsibilities:
- (1) Advise the council, mayor, municipal departments, and other boards and commissions on the city's sustainability and climate agenda;
 - (2) Review the Office of Sustainability reports referenced in paragraph 3.(b) above prior to their submission to the mayor and the council;
 - (3) Produce an annual report to the mayor and the council that highlights sustainability accomplishments from the previous year, and community priorities going forward;
 - (4) Provide a level of accountability and transparency for the sustainability initiatives the city is currently implementing or planning to implement.
- (c) City departments, agencies and staff shall cooperate with the Commission by providing timely providing all relevant documents and information requested.

SECTION 3. This Ordinance shall take effect upon passage.

An Ordinance Adopting the Community Development Block Grant Budget for Program Year 2021-2022 and Authorizing the Department of Planning and Development to submit the CDBG, HOME, ESG and HOPWA Budget and Application to the U.S. Department of Housing and Urban Development.

Section 1 - The Budget for the July 1, 2021 - June 30, 2022 Program Year for CDBG, ESG, HOME, and HOPWA funding is adopted as follows:

CDBG Allocation:	5,333,716.00
Reallocation of Previous CDBG:	<u>\$339,285.00</u>
Total CDBG to Allocate:	\$5,673,001.00

<u>CDBG Administration:</u>	
CDBG Admin	\$1,066,743.00

<u>CDBG Delivery Cost:</u>	\$60,000.00
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CDBG Community Center Grants:

Capital City Community Center	\$65,000.00
Community Action Partnership of Providence	\$45,000.00
DaVinci Center for Community Progress	\$60,000.00
Federal Hill House	\$62,000.00
Providence Housing Authority Thomas J. Anton	\$43,000.00
Silver Lake Community Center	\$63,000.00
Washington Park Citizens Association	\$65,000.00
West End Community Center	\$46,000.00
YWCA Rhode Island	<u>\$25,000.00</u>
TOTAL COMMUNITY CENTER FUNDS	\$474,000.00

CDBG Public Service Grants:

Amos House	\$36,000.00
Better Lives RI (PICA)	\$20,000.00
Boys & Girls Club Swim Saturdays	\$20,000.00
Building Futures	\$15,000.00
Center for Dynamic Learning	\$15,000.00
Clinica Esperanza/ Hope Clinic	\$40,000.00
Communities for People	\$15,000.00
Community MusicWorks	\$15,000.00
College Visions	\$30,000.00
DownCity Design	\$15,000.00
Educational Center for the Arts & Science	\$10,000.00
Family Service of RI- Police Go Team	\$25,000.00
Family Service of RI-On Call Case Management	\$15,000.00
FirstWorks	\$15,000.00
Genesis Center - CHOP	\$10,000.00
Higher Ground International	\$20,000.00
Institute for the Study Practice of Nonviolence	\$29,000.00
Mt. Hope Learning Center	\$20,000.00
New Urban Arts	\$15,000.00
Project Weber/RENEW	\$27,000.00
Providence Community Library	\$21,000.00
Providence Promise	\$12,000.00
Providence Public Library	\$15,000.00
Rhode Island Free Clinic	\$40,000.00
Sojourner House-Drop In Center	\$18,000.00
Sojourner House-Emergency Housing	\$20,000.00
Southside Community Land Trust	\$10,000.00
The Manton Avenue Project	\$15,000.00
RI Center for Justice/DARE	\$20,000.00
Young Voices	<u>\$13,900.00</u>
TOTAL PUBLIC SERVICE FUNDS	\$591,900.00

CDBG Economic Development Grants:

Center for Women & Enterprise	\$79,615.00
Center for Women & Enterprise	\$50,000.00
DesignxRI	\$195,000.00
Genesis Center Culinary Enterprise Program	\$55,000.00
Rhode Island Black Business Association	<u>\$60,000.00</u>
TOTAL ECONOMIC DEVELOPMENT FUNDS	\$439,615.00

CDBG Housing Grants:

City of Providence - Home Repair Program	\$350,000.00
City of Providence - Redevelopment Subsidy for Vacant & Abandoned Properties	\$350,000.00
Providence Housing Authority - Doors to Safety	\$85,000.00
Smith Hill CDC Acquisition for Housing	<u>\$150,000.00</u>
TOTAL HOUSING FUNDS	\$935,000.00

CDBG Facility Improvement Grants:

AIDS Care Ocean State - ADA Improvements	\$48,350.00
Children's Friend - Hartford Facility Improvements	\$130,000.00
Federal Hill House - Courtland Gas & HVAC Improvements	\$116,393.00
Higher Ground International Facility Acquisition	\$75,000.00
McAuley Corporation - McAuley House Roof Replacement	\$25,000.00
New Urban Arts Studio Expansion & ADA Improvements	\$125,000.00
Oasis International Facility Improvements	\$75,000.00
Preservation of Affordable Housing WiFi	\$175,000.00
Providence Community Library - Olneyville Library Boiler	\$40,000.00
Providence Housing Authority - Washington Park Library	\$26,000.00
Refocus - Bathroom Conversion	\$35,000.00
Roger Williams Daycare - Facility Improvements	\$285,000.00
Trinity Restoration/Southside Cultural Center Historic Windows	\$150,000.00
West End Community Center - Facility Improvements	<u>\$50,000.00</u>
TOTAL FACILITY IMPROVEMENT FUNDS	\$1,355,743.00

CDBG Neighborhood Investment Strategies Grants:

Ward 1 Vartan Gregorian Improvements	\$50,000.00
Ward 2 Hope High School Improvements	\$50,000.00
Ward 3 Affordable Housing Trust	\$40,000.00
Ward 3 Mt. Hope Community Center Improvements	\$6,000.00
Ward 3 Benches	\$4,000.00
Ward 4 Prete-Metcalf Improvements	\$50,000.00
Ward 5 Sidewalks	\$45,000.00
Ward 5 Tree Planting	\$5,000.00
Ward 6 Manton/Atwells Safety Improvements	\$50,000.00
Ward 7 Neutaconkanut Rec Center Improvements	\$50,000.00
Ward 8 Bucklin Park Improvements II	\$50,000.00
Ward 9 Sidewalks	\$50,000.00

Ward 10 Sidewalks & Speed Lumps	\$50,000.00
Ward 11 Sidewalks	\$50,000.00
Ward 12 Hassett Park Improvements	\$50,000.00
Ward 13 Zuccolo Rec Center Improvements	\$50,000.00
Ward 14 RFK School Improvements	\$50,000.00
Ward 15 Sidewalk Improvements	\$50,000.00
TOTAL NEIGHBORHOOD INVESTMENT STRATEGIES	\$750,000.00

The authority of this ordinance is referenced in of the Code of Ordinances for the City of Providence identified as Chapter 2003-45.

The City of Providence through its Department of Planning and Development is also authorized to submit applications for the following:

HOME Investment Partnerships Program:

Affordable Housing Funding	\$1,227,217.65
15% CHDO Set Aside	\$245,443.35
HOME Administrative Funds	\$163,628.00
TOTAL HOME PROGRAM	\$1,636,289.00

Housing Opportunities for Persons with AIDS Program:

AIDS Care Ocean State	\$934,396.00
Family Service of Rhode Island	\$55,000.00
Justice Resource Institute	\$247,820.00
HOPWA Administrative Funds	\$38,264.00
TOTAL HOPWA PROGRAM	\$1,275,480.00

Emergency Solutions Grants:

Consolidated Homeless Fund	\$416,993.00
ESG Administrative Funds	\$33,810.00
TOTAL ESG PROGRAM	\$450,803.00

Section 2 - This Ordinance shall take effect upon passage.

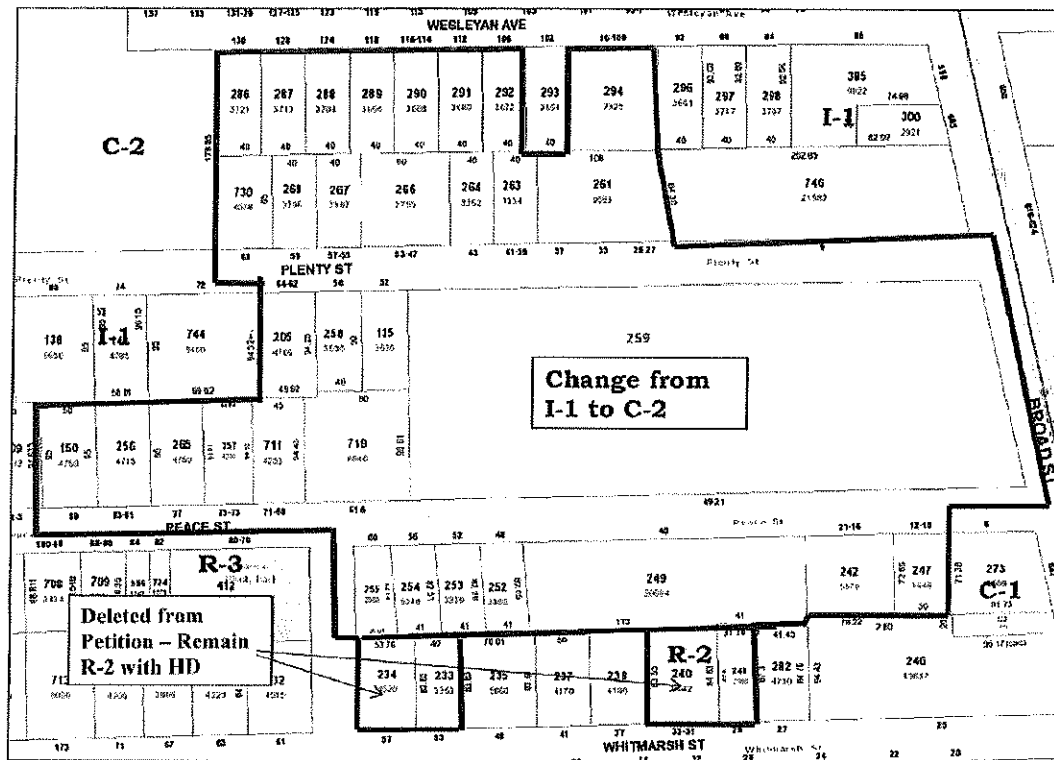
COUNCILWOMAN HARRIS AND COUNCILMAN CORREIA

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, is hereby further amended by changing the Zoning District on the Official Zoning Map for certain lots on Wesleyan Avenue, Plenty Street, Whitmarsh Street and Broad Street as listed below and as shown on the accompanying map from 1-1 to C-2: Plat 44, Lots 286, 287, 288, 289, 290, 291, 292, 294, 730, 268, 267, 266, 264, 263, 261, 205, 258, 135, 259, 150, 256, 265, 257, 711, 719, 255, 254, 253, 252, 249, 242, and 247.

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 by changing the Zoning District on the Official Zoning Map for certain lots on Wesleyan Avenue, Plenty Street, Whitmarsh Street and Broad Street as listed below and as shown on the accompanying map from 1-1 to C-2: Plat 44, Lots 286, 287, 288, 289, 290, 291, 292, 294, 730, 268, 267, 266, 264, 263, 261, 205, 258, 135, 259, 150, 256, 265, 257, 711, 719, 255, 254, 253, 252, 249, 242, and 247.

The following uses shall be allowed on all lots described in this Petition, subject to compliance with the standards of Sections 1202 and 1203, as applicable, as well as any other regulations of the Ordinance: Dwelling - Multi-family; Dwelling - Accessory Dwelling Unit; Dwelling - Rowhouse; Dwelling - Semi-Detached; Dwelling - Single-family; Dwelling - Two-Family; Dwelling-Three Family; Educational Facility - Primary or Secondary; Educational Facility-Vocational; Educational Facility - University or College; Office; Research and Development; Medical/Dental Office; Healthcare Institution; Park/Playground; Amusement/Entertainment/Sports Facility - Indoor (limited to sports only); Amusement/Entertainment/Sports Facility - Outdoor (limited to sports only); and Plant Agriculture.

All other uses are prohibited.



Petition amended at Petitioner's request to remove Lots 233, 234, 240 and 241. Those lots will remain R-2 with an HD overlay.

Section 2. This Ordinance shall take effect upon passage.

COUNCILMAN TAYLOR Moves to Waive the Reading of items 11 through 17, Pass for the Second Time on a Roll Call Vote with the Fiscal Note being added to item number fifteen "An Ordinance Amending Chapter 2 "Administration" by Repealing Article II, Section 2-45 and adding Article VIII ½ "Office of Sustainability", Seconded by **COUNCILWOMAN HARRIS**.

An Ordinance in Amendment of Chapter 2020-15, No. 145, Approved May 13, 2020, in accordance with Chapter 21, Section 9 of the Code of Ordinances of the City of Providence, Entitled: "Capital Equipment Budget," As Amended.

An Ordinance in Amendment of Chapter 21 "Revenue and Finance", Article V of the Code of Ordinances Entitled: "Real Property Tax Exemption for Elderly", Amending Section 21-111 "Exemption Granted; Conditions".

An Ordinance Amending Chapter 2 "Administration" by Repealing Article II, Section 2-45 and adding Article VIII ½ "Office of Sustainability.

An Ordinance Adopting the Community Development Block Grant Budget for Program Year 2021-2022 and Authorizing the Department of Planning and Development to submit the CDBG, HOME, ESG and HOPWA Budget and Application to the U.S. Department of Housing and Urban Development.

An Ordinances 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, is hereby further amended by changing the Zoning District on the Official Zoning Map for certain lots on Wesleyan Avenue, Plenty Street, Whitmarsh Street and Broad Street as listed below and as shown on the accompanying map from 1-1 to C-2: Plat 44, Lots 286, 287, 288, 289, 290, 291, 292, 294, 730, 268, 267, 266, 264, 263, 261, 205, 258, 135, 259, 150, 256, 265, 257, 711, 719, 255, 254, 253, 252, 249, 242, and 247.

RESULT: READ/PASSED SECOND TIME [UNANIMOUS]

MOVER: Councilman Taylor

SECONDER: Councilwoman Harris

AYES: Council President Iglioizzi, Councilwomen Anthony, Castillo, Councilmen Correia, Espinal, Goncalves, Councilwoman Harris, Councilor Kerwin, Councilwoman LaFortune, Councilor Miller, Councilman Narducci, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor- 14.

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

RESULT: READ/PASSED SECOND TIME [12 TO 2]

MOVER: Councilman Taylor

SECONDER: Councilwoman Harris

AYES: Council President Iglioizzi, Councilwoman Castillo, Councilmen Correia, Espinal, Goncalves, Councilwoman Harris, Councilor Kerwin, Councilor Miller, Councilman Narducci, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor- 12.

NAYES: Councilwomen Anthony and LaFortune – 2.

An Ordinance Establishing a Tax Stabilization Agreement for 49 Westfield, LLC.

RESULT: **READ/PASSED SECOND TIME [13 to 1]**
MOVER: Councilman Taylor
SECONDER: Councilwoman Harris
AYES: Council President Igliozi, Councilwoman Castillo, Councilmen Correia, Espinal, Goncalves, Councilwoman Harris, Councilor Kerwin, Councilman Narducci, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor - 13.
ABSTAIN: Councilwoman Miller – 1.

The Motion for Passage the Second Time is Sustained.

COUNCILOR SALVATORE, FORMER COUNCILMAN YURDIN, COUNCILWOMEN ANTHONY, HARRIS, LAFORTUNE, COUNCIL PRESIDENT IGLIOZZI, COUNCILWOMAN CASTILLO, COUNCILMEN CORREIA, ESPINAL, GONCALVES, COUNCILORS KERWIN, MILLER, COUNCILMAN NARDUCCI, COUNCILWOMAN RYAN AND COUNCILMAN TAYLOR

An Ordinance Amending Chapter 13, of the Code of Ordinances of the City of Providence, Entitled: "Housing" to add Article VII - "Security in Housing Development for Elderly Persons and Persons with Disabilities".

SECTION 1. The Code of Ordinances of the City of Providence, Chapter 13, "Housing," is hereby amended by adding an article, to be numbered VIII, which reads as follows:

ARTICLE VIII. - SECURITY HOUSING DEVELOPMENTS FOR ELDERLY PERSONS AND PERSONS WITH DISABILITIES

Sec. 13-57. - Definitions.

Building entrance shall mean an entrance providing access from outside the building or from an entry vestibule to an interior corridor, lobby, or stairway which leads to an individual dwelling unit.

Building permit shall mean a permit granted by the Department of Inspection and Standards for the construction of any building or for any substantial alteration or addition thereto, as provided under the Rhode Island Building Code.

Dwelling unit means a structure or part of a structure that is designed or intended to be used as a home, residence, or sleeping place by one or more persons.

Elderly person shall mean any person who is at least sixty-two (62) years of age.

Elderly/disabled multi-family housing development shall mean any building, structure, development, or complex of ten (10) or more dwelling units under common ownership, rented or offered for rent for dwelling purposes within the City of Providence, which is specifically designed or designated for rental by elderly or disabled persons.

Landlord shall mean the individual who holds title to any elderly/disabled multi-family housing development including, without limitation, a partnership, corporation, or trust. For purposes of this section, the rights and duties of the landlord hereunder shall be the obligation of anyone who manages, controls, or customarily accepts rent on behalf of the landlord.

Person with a disability shall mean any person with any condition or characteristic whether physical or mental which renders them disabled as defined by 42 U.S.C. § 12102, commonly referred to as the "Americans with Disabilities Act of 1990."

Safety officer shall mean a police officer of the City of Providence, or a special police officer appointed pursuant to applicable law to protect persons or property in public or subsidized housing, or a person employed as a guard or investigator by a duly licensed watch, guard, or patrol agency.

Security plan shall mean a plan for providing security for the tenants of an elderly/disabled multi-family housing development, based upon a crime prevention survey, which meets the criteria set forth in section.

Tenant shall mean a tenant, subtenant, lessee, sublessee, or other person, entitled under the terms of a rental housing agreement to the use and occupancy of any dwelling unit in an elderly/disabled multi-family housing development.

Sec. 13-58. - Security Requirements for Elderly/Disabled Multi-family Housing Developments.

Every landlord of an elderly/disabled multi-family housing development shall maintain and implement a security plan for such housing development. Said security plan shall utilize best practices to provide security for the tenants of the development through the implementation of existing and/or new security measures including, but not limited to, lighting, locks on resident's doors (whether keyed or keyless), safety officers, security stations, security systems, or other equipment, personnel, or programs. The security plans for elderly/disabled multi-family housing developments shall be reviewed and updated by the landlord at least once every three (3) years. All such plans shall comply with the Rhode Island State Building Code, as amended from time to time.

A copy of the security plan for each elderly/disabled multi-family housing development shall be maintained at each development so as to be made available for inspection by the Providence Police Department to ensure compliance with the provisions of this Article. In addition, a copy of the security plan for each development shall be filed with the Department of Public Safety.

Sec. 13-59. - Protection from Rent Increases.

Additional costs incurred by landlords in complying with the requirements of this Article and implementing security measures additional to those already provided or required in such developments shall not be passed on to tenants of elderly/disabled multi-family housing developments unless the landlord has exhausted all reasonable alternatives to the passing on of such costs. In pursuing such alternatives, the landlord shall use best efforts to seek and obtain such funding, grants, or donations of funds, equipment, or services, as may lessen or eliminate. The costs incurred in complying with the requirements of this section and implementing security measures additional to those already provided or required may be considered to be reasonable or necessary operating or capital expenses in any application for additional subsidy or financing from the United States, the State of Rhode Island, or any authority created under the laws thereof.

Sec. 13-60. - Enforcement.

The Providence Police Department may perform inspection audits of the security plan and/or the elderly/disabled multi-family housing development at any time.

The Providence Police Department shall annually perform random inspections for security plan compliance of no less than fifty (50) percent of the elderly/disabled multi-family housing developments located in the City of Providence.

If, upon inspection, the Providence Police Department determines that a landlord has failed to comply with the provisions of this Article by reason of:

- a. Failure to maintain a security plan for inspection;
- b. Non-compliance with the security plan requirements for the development; or
- c. Deficiency in the level of security provided by said plan;

The Providence Police Department shall issue a written notice to the landlord outlining the basis for the finding of noncompliance along with an order mandating full compliance with this Article within thirty (30) days. In the event a landlord wishes to appeal a determination of noncompliance by the Providence Police Department, the landlord may file such an appeal with Providence Housing Court.

Upon the expiration of the thirty (30) day compliance period, the landlord of a housing development still in violation of the order shall be subject to a fine of one hundred fifty (\$150.00) dollars per day, effective from the date of issuance of the notice of noncompliance. Tenants and/or tenant organizations of elderly/disabled multi-family housing developments shall have the right to request investigation by the Providence Police Department if they believe that their landlords have failed to comply with the provisions of this Article.

Sec. 13-61. - Non-liability of the City of Providence.

The provisions of this section shall not be construed to establish any duty on the part of the City of Providence and/or the Providence Police Department and its members greater than the City's general public duty to protect its citizens' health, safety, security, and well-being. No determination by the Providence Police Department as to the adequacy of a landlord's security measures shall be construed as a warranty or guarantee of such security, and the sole responsibility for insuring that security measures are adequate to protect tenants from foreseeable harm or risk shall rest and remain with the owner of such property.

Sec. 13-62. - Severability.

Nothing herein shall be deemed to supersede federal law or rules and regulations concerning federally subsidized housing. The provisions of this section are severable and if any provision, or portion thereof, should be held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining provisions which shall remain in full force and effect.

SECTION 2. This ordinance shall take effect upon passage.

COUNCILMAN TAYLOR Moves to Amend the Ordinance by deleting "the" after the word Elderly and inserting the word "Persons" after the word Elderly in the header and in Section 1, Seconded by COUNCILWOMAN HARRIS.

COUNCILMAN TAYLOR Moves Passage of the Ordinance the Second Time, As Amended, Seconded by COUNCILWOMAN HARRIS, by the following Roll Call Vote:

RESULT:	READ/PASSED SECOND TIME [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilwoman Harris
AYES:	Council President Igliozi, Councilwomen Anthony, Castillo, Councilmen Correia, Espinal, Goncalves, Councilwoman Harris, Councilor Kerwin, Councilwoman LaFortune, Councilor Miller, Councilman Narducci, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor - 10.

The Motion for Passage the Second Time is Sustained.

PRESENTATION OF ORDINANCE

COUNCILWOMAN HARRIS AND COUNCILOR MILLER

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

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT IGLIOZZI (By Request):

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

Mercer Health & Benefits, LLC
(Human Resources)

\$570,000.00 for a three year contract

Resolution Authorizing Approval of Payment by the Board of Contract and Supply, in
accordance with Section 21-26(b) of the Code of Ordinances.

Pannone, Lopes, Devereaux, and O'Gara, LLC
(Water Supply Board)

\$150,000.00 for legal services

**COUNCILMAN TAYLOR Moves to Waive the Reading of items 19 through 21 and Refer
to the Committee on Finance, Seconded by COUNCILWOMAN HARRIS.**

RESULT:	REFERRED
TO:	Committee on Finance

COUNCILMAN ESPINAL, COUNCILWOMAN ANTHONY, COUNCILMEN CORREIA, GONCALVES, COUNCILORS KERWIN, MILLER, COUNCIL PRESIDENT IGLIOZZI, COUNCILWOMEN CASTILLO, HARRIS, LAFORTUNE, COUNCILOR SALVATORE AND COUNCILMAN TAYLOR

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2021 H-5923 and Senate Bill 2021 S-527, An Act Relating to Health and Safety - High-Heat Waste Facility Act of 2021.

RESOLVED, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of House Bill 2021 H-5923 and Senate Bill 2021 S-527, An Act Relating to Health and Safety - High-Heat Waste Facility Act of 2021.

COUNCILMAN GONCALVES, COUNCILWOMAN ANTHONY, COUNCILOR MILLER, COUNCIL PRESIDENT IGLIOZZI, COUNCILWOMAN CASTILLO, COUNCILMEN CORREIA, ESPINAL, COUNCILWOMEN HARRIS, LAFORTUNE, COUNCILMAN NARDUCCI, COUNCILOR SALVATORE AND COUNCILMAN TAYLOR

Resolution Recognizing May as Mental Health Awareness Month.

WHEREAS, The month of May has been federally recognized as National Mental Health Awareness Month as a result of Proclamation 9603 which was passed on May 1, 2017; and

WHEREAS, Mental Health Awareness Month is intended to draw attention to the fact that mental health is indeed a medical condition that impacts many of our community members throughout Providence and Rhode Island; and

WHEREAS, Mental health is a growing concern in our local communities, with an estimated 8.1% of adults in Rhode Island experiencing a major depressive episode in the prior year; and

WHEREAS, Mental illness is not limited to adults as 13.4% of Rhode Island children and young adults aged 12 to 17 were reported to have a major depressive episode in 2017-2018; and

WHEREAS, With the onset of the COVID-19 pandemic, mental health awareness is even more critical due to the negative impacts from isolation, restrictions and lockdowns; and

WHEREAS, Many of the complex societal challenges faced in Rhode Island including homelessness and substance abuse are exacerbated by undiagnosed mental health disorders that inhibit an individual's ability to receive the proper treatment and resources that they so desperately need; and

WHEREAS, Many national and local organizations such as the Rhode Island Coalition for Children and Families (RICCF), the Rhode Island chapter of the National Alliance on Mental Illness, the Medical Psychiatric Program at Hasbro Children Hospital, the Department of Psychiatry at Rhode Island Hospital, Bradley hospital, and many others, work to raise awareness around the importance of maintaining mental health; and

WHEREAS, With the State of Rhode Island returning to a "new normal" it is critical that we, as a society, look out for one another's mental and physical well-being to ensure that everyone is provided access to the resources they need to make our local communities the vibrant and productive spaces for everyone to succeed; and

WHEREAS, The City of Providence strongly supports the efforts of national, state, and local partners, and calls upon every citizen to actively engage in public and private efforts to raise awareness on mental health.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence does hereby join advocates and communities across the country in supporting efforts to raise awareness and destigmatize mental illness; and

BE IT FURTHER RESOLVED, That, the City of Providence recognizes the month of May each year as “Mental Health Awareness Month.”

**COUNCILMAN GONCALVES, COUNCILWOMAN ANTHONY,
COUNCILMAN CORREIA, COUNCILOR MILLER, COUNCIL PRESIDENT
IGLIOZZI, COUNCILWOMAN CASTILLO, COUNCILMAN ESPINAL,
COUNCILWOMEN HARRIS, LAFORTUNE, COUNCILOR SALVATORE AND
COUNCILMAN TAYLOR**

Resolution Recognizing Operator Eldora "Ellie" Giblin's Heroic Actions.

WHEREAS, On April 3, 2021, RIPTA Operator Eldora “Ellie” Giblin was driving the route 33 bus towards East Providence; and

WHEREAS, Operator Giblin saw a man over the railing of the bridge between the City of Providence, and East Providence who seemed to want to jump off the bridge; and

WHEREAS, Recognizing the potential danger, Ms. Giblin decided to take matters into her own hands by stopping her bus and went out of her way to prevent the man from jumping; and

WHEREAS, Ms. Giblin engaged the man in conversation and through reassurance and kind words convinced him to pull his legs back over the bridge, get into his car, and drive away after thanking Giblin; and

WHEREAS, Eldora “Ellie” Giblin’s quick and decisive actions in saving the man’s life represent the very best qualities of the people of Providence.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence hereby acknowledges Operator Eldora “Ellie” Giblin for her decisive and exemplary actions on April 3, 2021 and extends sincere gratitude for her exemplary conduct in the line of duty.

BE IT FURTHER RESOLVED, That, upon passage, copies of this resolution will be sent to the Mayor of Providence, the CEO of RIPTA, the members of the RIPTA Board, and Operator Eldora “Ellie” Giblin.

**COUNCILMAN GONCALVES, COUNCILWOMAN ANTHONY,
COUNCILMAN CORREIA, COUNCILOR MILLER, COUNCIL PRESIDENT
IGLIOZZI, COUNCILWOMAN CASTILLO, COUNCILMAN ESPINAL,
COUNCILWOMEN HARRIS, LAFORTUNE, COUNCILOR SALVATORE AND
COUNCILMAN TAYLOR**

Resolution Endorsing and Urging Passage of the United States Senate Bill H.R. 1, The For The People Act of 2021.

WHEREAS, Voter access, election integrity, election security, campaign finance, and campaign ethics are foundational pillars of democracy and ensure the accountability of government to the American people; and

WHEREAS, In recent years, campaign finance has been thrust into the national spotlight through several high profile Supreme Court Cases which have triggered calls for campaign finance reform measures to better protect the sanctity of every American's vote; and

WHEREAS, H.R.1 is aimed to put "We the People" back in charge by limiting the ability of big donors to drown out the voices of everyday Americans; and

WHEREAS, Citizen funded elections have been proven successful in localities throughout Maryland; and

WHEREAS, Citizen funded elections allow elected officials to prioritize the needs of everyday donors, which will give those citizens power and amplify their voices; and

WHEREAS, The H.R.1 is a combination of reforms and practices that have been successfully implemented in several states and local governments throughout the country with positive results; and

WHEREAS, On March 3, 2021, the United States House passed House Bill 1, the For the People Act, which would ensure government accountability as well as address ethics in all three branches of the federal government; and

WHEREAS, House Bill 1 has now been transmitted to the United States Senate where it awaits a vote so that this critical piece of legislation can then be signed into law.

NOW, THEREFORE, BE IT RESOLVED, That the Members of the Providence City Council hereby endorse and urge the United States Senate to pass House Bill H.R.1, the For the People Act.

BE IT FURTHER RESOLVED, That, upon passage, copies of this resolution be sent to each member of Rhode Island's Federal delegation.

**COUNCILMAN GONCALVES, COUNCILWOMAN ANTHONY,
COUNCILMAN CORREIA, COUNCILOR MILLER, COUNCILWOMAN
RYAN, COUNCIL PRESIDENT IGLIOZZI, COUNCILWOMAN CASTILLO,
COUNCILMAN ESPINAL, COUNCILWOMEN HARRIS, LAFORTUNE,
COUNCILMAN NARDUCCI, COUNCILOR SALVATORE AND COUNCILMAN
TAYLOR**

Resolution Recognizing the Month of May as Asian Pacific American Heritage Month.

WHEREAS, The month of May is federally recognized as Asian Pacific American Heritage Month per Presidential Proclamation 6130 which was signed into law on May 7, 1990; and

WHEREAS, Generations of Asian Pacific Americans have played a key role in the City of Providence's growth and prosperity; and

WHEREAS, Today, people of Asian and Pacific ancestry continue to bring significant contributions to the city by setting high standards of achievement; and

WHEREAS, Asian American and Pacific Islanders (AAPIs) have played a vital role in the building of this nation, from Chinese immigrants constructing the transcontinental railroad, to Japanese, Korean, and Filipino immigrants building a thriving economy in areas such as Hawaii and California, to the Vietnamese, Cambodian, and Laotian people who have made substantial contributions to the Providence community; and

WHEREAS, Asian Pacific American Heritage Month is intended to highlight and celebrate Asian Americans and Pacific Islander Americans in our community; and

WHEREAS, Asian American and Pacific Islanders are an integral part of the Providence community, as frontline workers, educators, artists, activists, business owners, policymakers, veterans, military service members, youth sports coaches, medical professionals, and many other areas in which they help our city move forward; and

WHEREAS, In the wake of increasing violent attacks against the AAPI communities across the country, it has never been more important to recognize the contributions of our AAPI community; celebrate and support our AAPI and immigrant communities' cultural heritage; and fight back against anti-Asian racism and white supremacy in order to meet this moment and transform our systems to see and value every life; and

WHEREAS, The City Council of the City of Providence takes this month to recognize the contributions and influence of Asian Americans and Pacific Islanders to the history, culture, and achievements of the country as a whole and to the City of Providence.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence does hereby recognizes the month of May each year as Asian Pacific American Heritage Month.

COUNCILWOMEN LAFORTUNE, ANTHONY, COUNCILMEN CORREIA, ESPINAL, GONCALVES, COUNCILORS KERWIN, MILLER, COUNCILWOMAN RYAN, COUNCIL PRESIDENT IGLIOZZI, COUNCILWOMEN CASTILLO, HARRIS, COUNCILMAN NARDUCCI, COUNCILOR SALVATORE AND COUNCILMAN TAYLOR

Resolution Recognizing the Month of May as Haitian Heritage Month.

WHEREAS, The month of May holds great historical significance for Haitians all around the globe as it was in May of 1803 when the people of Haiti signified their unity during the Congress of Arcahaie representing the first sign of unity following over three years of revolution; and

WHEREAS, During the first meeting of the Congress of Arcahaie, the country's founding father, Jean-Jacques Dessalines, replaced the French flag by tearing it apart and replacing it with a blue and red flag, symbolizing that the country no longer wanted to be recognized as a French territory and that the people who lived on that land preferred to be dead rather than be enslaved; and

WHEREAS, The Haitian revolutionary leaders Toussaint Louverture and Jean-Jacques Dessalines, who are both considered great leaders of the Haitian independence movement, led the revolution that completely abolished slavery in the French colony of Hispaniola (later Haiti), to be governed by Black former slaves as a French protectorate; and

WHEREAS, Haiti's independence from France in 1804, making it the first free black republic, galvanized people across the globe to rise up against injustice and has been cited as a major contributing factor to the freeing of black slaves in the United States; and

WHEREAS, The month of May is celebrated as Haitian Heritage Month by Haitians across the globe to honor Haiti's contributions to the world and to draw inspiration from the Haitian people's determination and strength to resist and fight for their country's sovereignty; and

WHEREAS, The City Council of the City of Providence takes this month to recognize the contributions and influence of Haitian Americans to the history, culture, and achievements of the country as a whole, the State of Rhode Island, and to the City of Providence.

NOW, THEREFORE, BE IT FURTHER RESOLVED, That the Providence City Council hereby acknowledges the month of May as Haitian Heritage Month in perpetuity in order to recognize the contributions that the Haitian people have made to the City of Providence and the State of Rhode Island throughout our history.

**COUNCILOR SALVATORE, COUNCILWOMAN ANTHONY, COUNCILORS
KERWIN, MILLER, COUNCILWOMAN RYAN, COUNCIL PRESIDENT
IGLIOZZI, COUNCILWOMAN CASTILLO, COUNCILMEN CORREIA,
ESPINAL, GONCALVES, COUNCILWOMEN HARRIS, LAFORTUNE,
COUNCILMAN NARDUCCI AND COUNCILMAN TAYLOR**

Resolution Calling for the resignation of Providence Superintendent Harrison Peters.

WHEREAS, Harrison Peters was appointed the superintendent of Providence Public Schools in February 2020 by the Rhode Island Department of Education; and

WHEREAS, On Monday, May 10, 2021, a Providence school administrator, Olayinka Alege, was arrested and charged with assault after allegedly forcibly massaging a teenage boy's foot in a Warwick gym; and

WHEREAS, It is shocking to learn that superintendent Peters was not only aware of past accusations regarding the same type of behavior by Mr. Alege prior to hiring him in Providence, but that he actually decided to go out of his way to vouch for Mr. Alege specifically during the hiring process; and

WHEREAS, As the superintendent of the Providence Public School system, Mr. Peters' single most important responsibility is to ensure the safety and well-being of every student who enters a Providence school; and

WHEREAS, Mr. Peters' willingness to ignore the warning signs and vouch for an individual with past allegations of inappropriate contact with students demonstrates a complete disregard for the safety of the students in his care; and

WHEREAS, The lack of judgement demonstrated by superintendent Peters in vouching for and hiring Mr. Alege has completely eroded any level of trust between the superintendent and the local communities he is asked to serve; and

WHEREAS, In order to restore confidence with the local community that the Providence Public School system is capable and committed to providing a safe learning environment for students, Harrison Peters should resign from his position as superintendent so that a new candidate can be appointed to begin the process of rebuilding trust with the residents of Providence.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence does hereby call upon Mr. Harrison Peters to resign from his position as Superintendent of Providence Public Schools effective immediately.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to the Honorable Governor of the State of Rhode Island, the Mayor of Providence, the Superintendent of the Providence Public School District, and the Commissioner of Elementary and Secondary Education for the State of Rhode Island.

COUNCILMAN TAYLOR, COUNCILWOMAN ANTHONY, COUNCILMEN CORREIA, ESPINAL, GONCALVES, COUNCILOR KERWIN, COUNCILWOMAN RYAN, COUNCIL PRESIDENT IGLIOZZI, COUNCILWOMEN CASTILLO, HARRIS, LAFORTUNE, COUNCILOR MILLER, COUNCILMAN NARDUCCI AND COUNCILOR SALVATORE

Resolution Congratulating the Central High School Varsity Boys Football Team for winning the Division I Championship.

WHEREAS, Under the leadership of Head Coach Peter Rios and his coaching staff, Providence's Central High School Varsity Boys Football team earned a spot in the Rhode Island Interscholastic League Division I Championship Game after defeating Cumberland by a score of 14-6; and

WHEREAS, On May 8, 2021, the Central Football Team won the RIIL Football Division I Championship game against East Greenwich in a tightly contested 13-12 effort; and

WHEREAS, The victory represents a milestone for the team as it is the football program's first championship since 2004; and

WHEREAS, The team showed great poise, character, and teamwork throughout this exceptional season, overcoming challenges both on and off the field; and

WHEREAS, The team's success fosters a sense of pride in the Providence community, and will provide the younger people of Providence with a model of what can be achieved through hard work, collaborative effort, and perseverance.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence hereby recognizes and celebrates Head Coach Peter Rios, Assistant Coaches Charlie Holliday, Michael Washington, Charles Trant, Joseph Colao, Jerelle Washington, and Thomas Connor, and the entire Central High School Varsity Boys Football team on their historic achievements this season, including winning the RIIL Division I Championship.

COUNCILMAN TAYLOR Moves to Waive the Reading of items 27 through 29 and Moves Passage of the Several Resolutions, Seconded by COUNCILWOMAN HARRIS.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilwoman Harris
AYES:	Council President Igliazzi, Councilwomen Anthony, Castillo, Councilmen Correia, Espinal, Goncalves, Councilwoman Harris, Councilor Kerwin, Councilwoman LaFortune, Councilor Miller, Councilman Narducci, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor- 14.

The Motion for Passage is Sustained.

FROM THE CLERK'S DESK

Petition from Jeffrey K. Techentin, Adler, Pollock & Sheehan P.C, One Citizens Plaza, 8th Floor, Providence, Rhode Island 02903, dated April 20, 2021, requesting Art Pad easements over city property for the purpose of maintaining public art displays.

COUNCIL PRESIDENT IGLIOZZI Refers the Petition to the Committee on Public Works.

RESULT:	REFERRED
TO:	Committee on Public Works

Petition from Patrick J. Dougherty, Esquire on behalf M.H. Massey and Co., LLC, requesting a Zone Change for the property located on Assessor's Plat 16, Lot 239 (383 Benefit Street), from R-2 to R-4 with a footnote that "Use on said lot shall be limited to multi-family with no more than eight (8) dwelling units".

Petition from Joelle C. Rocha, Duffy & Sweeney, LTD, 321 South Main Street, Suite 400, Providence, Rhode Island 02903, requesting a Zone Change for the property located on Assessor's Plat 28, Lot 522 (18 Marcello Street) and Lot 965 (25 Piedmont Street), from R-3 to C-1, with the condition that the uses be limited to single family, two-family and multi-family uses.

Petition from Dylan Conley, Esquire, on behalf of Robert and Linh Combier, requesting a Zone Change for the property located on Assessor's Plat 28, Lot 166 (253 Federal Street), from R-3 to R-4 Zone.

COUNCILMAN TAYLOR Moves to Waive the Reading of items 31 through 33 and Refers the Several Petitions to the Committee on Ordinances, Seconded by COUNCILWOMAN HARRIS.

RESULT:	REFERRED
TO:	Committee on Ordinances

Petitions for Compensation for Injuries and Damages, viz

Lori Franchina
(David S. Cass, Esquire)
Vera A Tashima
Horace Mann Insurance
a/s/o Kelli Courville
Umid Khaitov
David Galvin
Travelers Home and Marine Insurance Company
a/s/o Sara Holland
Janice Minuto

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

RESULT:	REFERRED
TO:	Committee on Claims and Pending Suits

COMMUNICATIONS AND REPORTS

Report from Ricky Caruolo, General Manager, Providence Water Supply Board to Ronald T. Gerwatowski, Chairperson of the Public Utilities Commission, dated April 30, 2021, submitting the Compliance Filing for Second (2nd) Step Rate Increase, the Second (2nd) Step is designed to collect additional revenues of \$4,310,146.00 representing an overall increase of 5.5%, effective July 1, 2021.

COUNCIL PRESIDENT IGLIOZZI Receives the foregoing report.

RESULT:	RECEIVED
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**PRESENTATION OF RESOLUTIONS
"IN CONGRATULATIONS"**

COUNCIL PRESIDENT IGLIOZZI AND MEMBERS OF THE CITY COUNCIL

Resolution Extending Congratulations.

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

Friends of Mt. Pleasant Park, in recognition of their participation in the 2021 Ward 5 Earth Day Event and working toward a cleaner greener neighborhood.

Friends of Trinity Parkway, in recognition of their participation in the 2021 Ward 5 Earth Day Event and working toward a cleaner greener neighborhood.

PNPP, in recognition of their participation in the 2021 Ward 5 Earth Day Event and working toward a cleaner greener neighborhood.

Doug Still, in recognition of his participation in the 2021 Ward 5 Earth Day Event and working toward a cleaner greener neighborhood.

Ana W. Barraza, in recognition of the celebration of becoming a United States Citizen on Friday, April 16, 2021.

Carina Saleme de Monge, in recognition of receiving her Master of Education in Youth Development from Rhode Island College on May 14, 2021.

Laura Crum, in recognition of the celebration of her 95th Birthday.

Manuel B. Martinez, in recognition of the celebration of his 90th Birthday on May 19, 2021.

Nathaniel Sandoval, in recognition of his appointment as Branch Manager to the Young Entrepreneurs Across America for the State of Rhode Island.

Officer Gary Venditto, in recognition of his retirement after 34 years of dedicated service to the Providence Police Department and Rhode Island College.

**Severally Read and Collectively Passed, on Motion of COUNCILMAN TAYLOR,
Seconded by COUNCILWOMAN HARRIS.**

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilwoman Harris
AYES:	Council President Igliozi, Councilwomen Anthony, Castillo, Councilmen Correia, Espinal, Goncalves, Councilwoman Harris, Councilor Kerwin, Councilwoman LaFortune, Councilor Miller, Councilman Narducci, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor- 10.

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 would just like to take a minute to send our condolences and our prayers to the Solomon family. I don't know if you were aware or not, but Mayor Joseph Solomon passed away yesterday. Again, I would just like to send our condolences and our prayers to the Solomon family at this time. Thank you Mr. President."

PRESENTATION OF RESOLUTIONS "IN MEMORIAM"

COUNCIL PRESIDENT IGLIOZZI AND MEMBERS OF THE CITY COUNCIL

Resolution Extending Sympathy.

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

Pasco "Pat" Anthony Fedele

Mary J. LeBoeuf

Leonard Allen Sr.

Severally Read and Collectively Passed, on a Unanimous Rising Vote, on Motion of COUNCILWOMAN TAYLOR, Seconded by COUNCILWOMAN HARRIS.

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilwoman Harris
AYES:	Council President Igliazzi, Councilwomen Anthony, Castillo, Councilmen Correia, Espinal, Goncalves, Councilwoman Harris, Councilor Kerwin, Councilwoman LaFortune, Councilor Miller, Councilman Narducci, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor- 10.

The Motion for Passage is Sustained.

**MATTER NOT APPEARING
ON THE PRINTED DOCKET**

**On Motion of COUNCILMAN TAYLOR, Seconded by COUNCILWOMAN HARRIS, it is
voted to Suspend Rule 16(b) of the Rules of the City Council in order to allow the
introduction of the following Matter Not Appearing on the Printed Docket.**

Communication from Council President John J. Igliazzi, dated May 20, 2021, Informing
the City Clerk of his appointment of Councilman Nicholas J. Narducci, Jr., as a member
of the City Council Committee on Finance.

COUNCIL PRESIDENT IGLIAZZI Receives the foregoing Communication.

RESULT:	RECEIVED
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CONVENTION

There being no further business, on Motion of **COUNCILMAN TAYLOR**, Seconded by **COUNCILWOMAN HARRIS**, it is voted to adjourn in memory of Leonard Allen, Jr. and Joseph J. Solomon, Sr. at 6:44 o'clock P.M., to meet again **THURSDAY, JUNE 3, 2021 at 6:00 o'clock P.M.**

A handwritten signature in black ink that reads "Shawn Selleck". The signature is written in a cursive, flowing style.

SHAWN SELLECK
CITY CLERK