

# **CITY OF PROVIDENCE RHODE ISLAND**



## **CITY COUNCIL JOURNAL OF PROCEEDINGS**

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**No. 30 City Council Special Meeting, Wednesday, December 9, 2020, 8:00 o'clock P.M.**

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### **PRESIDING COUNCIL PRESIDENT SABINA MATOS**

#### **CALL TO ORDER**

**PRESENT: COUNCIL PRESIDENT MATOS, COUNCILWOMAN CASTILLO, COUNCILMEN ESPINAL, GONCALVES, COUNCILWOMAN HARRIS, COUNCILMAN IGLIOZZI, COUNCILWOMAN LAFORTUNE, COUNCILOR MILLER, COUNCILWOMAN RYAN AND COUNCILOR SALVATORE – 10.**

**ABSENT: COUNCILWOMAN ANTHONY, COUNCILMAN CORREIA, COUNCILOR KERWIN, COUNCILMEN NARDUCCI AND TAYLOR – 5.**

**ALSO PRESENT: SHAWN SELLECK, CITY CLERK, SHERI A. PETRONIO, FIRST DEPUTY CITY CLERK AND JEFFREY DANA, CITY SOLICITOR.**

**IN CITY COUNCIL  
JAN 07 2021**

**APPROVED:**

*Shawn Selleck* **CLERK**

## **SOLICITOR'S STATEMENT ON REMOTE MEETINGS**

Per Executive Order of the Governor of Rhode Island, we are permitted to hold this meeting via zoom.

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### **INVOCATION**

The Invocation is given by **COUNCILMAN JOHN J. IGLIOZZI**.

"Lord, bless us all here this evening, bless our families, our friends and our loved ones who are healthy and also our families, friends and loves ones who are fighting any type of sickness or any type of health issues. Also, I would like to make a special prayer for the loved ones that we might have lost in the past couple of years and to reflect on all of those individuals during these times and hopefully we can all ban together in a positive manner knowing that we have some good news. The vaccines are starting to flow and hopefully all of us can live a healthier life and also the folks that are struggling can get the vaccine soon and hopefully they will be able to beat this horrific disease. May we have a moment of silence for anyone that we might have lost at this moment in time."

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### **PLEDGE OF ALLEGIANCE**

**COUNCILMAN PEDRO J. ESPINAL** Leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the flag of the United States of America.

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### **CALL FOR SPECIAL MEETING**

### **COMMUNICATION FROM**

### **COUNCIL PRESIDENT SABINA MATOS**

Request filed with the City Clerk December 7, 2020, Requesting a Special Meeting of the City Council to be called on the 9<sup>th</sup> day of December, 2020 at 8:00 o'clock P.M. Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join. <https://providenceri-gov.zoom.us/j/93343205687> Or join by phone: Dial 1-646-876-9923 or 1-888-475-4499 (Toll Free) Webinar ID: 933 4320 5687 International numbers available: <https://providenceri-gov.zoom.us/u/abwungE1VS>

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

<b>RESULT:      RECEIVED</b>
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## **WARRANT FOR SPECIAL MEETING**

Warrant of the City Clerk, Shawn Selleck, Certifying that he has notified each member of the City Council of the Special Meeting to be called on the 9<sup>th</sup> day of December, 2020 at 8:00 o'clock P.M. via electronic mail, under Governor Raimondo's Executive Order, Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join. <https://providenceri-gov.zoom.us/j/93343205687> Or join by phone: Dial 1-646-876-9923 or 1-888-475-4499 (Toll Free) Webinar ID: 933 4320 5687 International numbers available: <https://providenceri-gov.zoom.us/u/abwungE1VS>

**COUNCIL PRESIDENT MATOS Receives the foregoing Warrant.**

<b>RESULT:      RECEIVED</b>
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## **REPORTS FROM COMMITTEE**

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

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

**COUNCIL PRESIDENT MATOS, COUNCILWOMAN ANTHONY AND  
COUNCILWOMAN LAFORTUNE, (By Request):**

Resolution Authorizing the City Treasurer and the Mayor, acting on behalf of the City, to issue the Refunding Bonds for the purposes set forth in the Resolution and to take all actions deemed necessary to effect the issuance of Refunding Bonds.

**WHEREAS**, The City of Providence (the “City”) has previously issued its \$30,545,000 General Obligation Refunding Bonds, 2010 Series A dated December 21, 2010 (the “2010 Bonds”) and \$39,345,000 General Obligation Bonds, Series 2013A dated March 14, 2013 (the “2013 Bonds”, and collectively with the 2010 Bonds, the “Prior Bonds”); and

**WHEREAS**, The City desires to issue general obligation refunding bonds (the “Refunding Bonds”) in one or more series on a tax-exempt or taxable basis to refund all or a portion of the Prior Bonds which remain outstanding in order to take advantage of the lower interest rates which currently are prevailing.

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the City is authorized pursuant to Chapter 12 of Title 45 of the General Laws of Rhode Island, as amended, to issue Refunding Bonds of the City in an amount necessary to refund all or a portion of the Prior Bonds and to provide for any principal of, redemption premium, if any, and interest on the Prior Bonds coming due on or prior to the date on which the Prior Bonds are to be redeemed, and the costs of issuance of the Refunding Bonds.

2. That the issuance of the Refunding Bonds will result in a financial benefit to the City.

3. That the Refunding Bonds will be within all debt and other limitations prescribed by the Constitution and laws of the State of Rhode Island.

4. That in accordance with the provisions of Chapter 12 of Title 45 of the General Laws of Rhode Island, as amended, the manner of sale, amount, denominations, maturities, interest rates and other terms, conditions and details of the Refunding Bonds authorized herein may be fixed by the City Treasurer and the Mayor, in consultation with the Chairperson of the Committee on Finance.

5. That the City Council hereby authorizes the City Treasurer and the Mayor, acting on behalf of the City, to issue the Refunding Bonds for the purposes set forth in this Resolution and to take all actions as he deems necessary to effect the issuance of the Refunding Bonds. The Refunding Bonds shall be issued by the City under its corporate name and seal or a facsimile of such seal. The Refunding Bonds shall be signed by the manual or facsimile signature of the City Treasurer and the Mayor.

6. The Refunding Bonds may be issued on a tax-exempt or taxable basis. To the extent the Refunding Bonds are issued on a tax-exempt basis, the City Treasurer and the Mayor are hereby authorized and instructed to take all actions, on behalf of the City, necessary to ensure that interest on the Refunding Bonds will be excludable from gross income for federal income tax purposes and to refrain from all actions which would cause interest on the Refunding Bonds to become subject to federal income taxes. The City Treasurer and the Mayor are further authorized to take all lawful action necessary or desirable to designate the Refunding Bonds as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code.

7. That the proceeds arising from the sale of such Refunding Bonds, exclusive of any premium, accrued interest and costs of issuance, shall, upon the receipt be paid immediately to the paying agent or paying agents for the Prior Bonds, and such paying agents shall hold the proceeds in trust until they are applied to pay or refund the Prior Bonds. While such proceeds are held in trust, they may be invested as permitted by Chapter 12 of Title 45 of the General Laws of Rhode Island, as amended. Proceeds of the Refunding Bonds will be used for no purpose other than the refunding of the Prior Bonds as described in Section 1 hereof.

8. That the City's Finance Director is authorized to take all actions necessary to comply with federal tax and securities laws including Rule 15c2-12 of the Securities and Exchange Commission (the "SEC Rule") and to execute and deliver a continuing disclosure certificate in connection with the Refunding Bonds issued by the City, in such form as shall be deemed advisable by the City's Finance Director in order to comply with the SEC Rule. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the continuing disclosure certificate, as it may be amended from time to time. Notwithstanding any other provision of this Resolution or the Refunding Bonds, failure of the City to comply with the continuing disclosure certificate shall not be considered an event of default; however, any bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Resolution and under the continuing disclosure certificate.

9. That the Refunding Bonds may be issued in one or more series or consolidated with other issues of notes or bonds of the City.

10. The City Council hereby directs the Finance Director to pay any net savings from the refunding of the bonds. The payment shall be used to pay a pension payment above one hundred percent of the Annual Required Contribution and cannot supplant any pension payment.

11. That this Resolution shall take effect upon its passage.

**COUNCILWOMAN RYAN Moves Passage of the Resolution, Seconded by  
COUNCILWOMAN HARRIS, by the following Roll Call Vote:**

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilwoman Ryan
<b>SECONDER:</b>	Councilwoman Harris
<b>AYES:</b>	Council President Matos, Councilwoman Castillo, Councilmen Espinal, Goncalves, Councilwoman Harris, Councilman Igliozi, Councilwoman LaFortune, Councilor Miller, Councilwoman Ryan and Councilor Salvatore – 10.
<b>ABSENT:</b>	Councilwoman Anthony, Councilman Correia, Councilor Kerwin, Councilmen Narducci and Taylor – 5.

**The Motion for Passage is Sustained.**

## COUNCILMAN CORREIA

Resolution Authorizing His Honor the Mayor to execute an agreement between the City of Providence, on behalf of PWSB, and Johnston, for the annexation of Johnston's water supply system to the water supply system of PWSB, and to execute and other documents in furtherance of effectuating said annexation.

**RESOLVED**, That pursuant to R.I. Gen. Laws § 46-30-1 *et seq.*, the Providence Water Supply Board ("PWSB") is hereby authorized to annex the water distribution system of the Town of Johnston, Rhode Island ("Johnston") with the water distribution system of PWSB.

**NOW, THEREFORE, BE IT RESOLVED**, That His Honor the Mayor, is hereby authorized to execute an agreement between the City of Providence, on behalf of PWSB, and Johnston, for the annexation of Johnston's water supply system to the water supply system of PWSB, and to execute any other documents in furtherance of effectuating said annexation.

**Read and Passed, on Motion of COUNCILWOMAN RYAN, Seconded by COUNCILWOMAN HARRIS.**

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilwoman Ryan
<b>SECONDER:</b>	Councilwoman Harris
<b>AYES:</b>	Council President Matos, Councilwoman Castillo, Councilmen Espinal, Goncalves, Councilwoman Harris, Councilman Igliozi, Councilwoman LaFortune, Councilor Miller, Councilwoman Ryan and Councilor Salvatore – 10.
<b>ABSENT:</b>	Councilwoman Anthony, Councilman Correia, Councilor Kerwin, Councilmen Narducci and Taylor – 5.

**The Motion for Passage is Sustained.**

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## COUNCIL PRESIDENT MATOS, (By Request):

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

Downes Construction Company  
of Public Property)

\$4,551,270.00(Department

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

Downes Construction Company  
(Department of Public Property)

\$4,551,270.00

**COUNCILWOMAN RYAN Moves Passage of the Resolution and Refer Back to the Board of Contract and Supply, Seconded by COUNCILWOMAN HARRIS, by the following Roll Call Vote:**

<b>RESULT:</b>	<b>READ AND PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilwoman Ryan
<b>SECONDER:</b>	Councilwoman Harris
<b>AYES:</b>	Council President Matos, Councilwoman Castillo, Councilmen Espinal, Goncalves, Councilwoman Harris, Councilman Iglioizzi, Councilwoman LaFortune, Councilor Miller, Councilwoman Ryan and Councilor Salvatore – 10.
<b>ABSENT:</b>	Councilwoman Anthony, Councilman Correia, Councilor Kerwin, Councilmen Narducci and Taylor – 5.

**The Motion for Passage is Sustained.**

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## CONVENTION

There being no further business, on Motion of **COUNCILWOMAN RYAN**, Seconded by **COUNCILWOMAN HARRIS**, it is voted to adjourn in memory Constantino Matos and those who have been lost this year due to the COVID-19 virus and to other illnesses. While we mourn their loss, let us keep their loved ones in our thoughts and prayers and in closing let's wear our masks, practice social distancing and let's all welcome in a safe, happy and healthy New Year at 8:12 o'clock P.M., to meet again **THURSDAY, JANUARY 7, 2021 at 5:30 o'clock P.M.**



**SHAWN SELLECK  
CITY CLERK**

