

# CITY OF PROVIDENCE RHODE ISLAND



The Credo of the Providence City Council is to be Industrious, to be Watchful and to Promote Peace. The bee, as a symbol of industry, is derived from the early colonial saying "Busy as a Bee"; the goose, as a symbol of watchfulness, is derived from the story of the goose whose cackling saved Rome; and the lamb, as a symbol of peace, is derived from the biblical use of the lamb as a symbol of peace.



IN CITY COUNCIL  
SEP 19 2024

APPROVED

*Anna L. Mastrosianni*  
CLERK

**CITY COUNCIL**

**JOURNAL OF PROCEEDINGS**

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**No. 18 City Council Regular Council Meeting, Thursday, July 18, 2024, 6:00 o'clock P.M.**

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**PRESIDING**

**COUNCIL PRESIDENT**

**RACHEL M. MILLER**

**CALL TO ORDER**

**PRESENT: COUNCIL PRESIDENT MILLER, COUNCILOR ANDERBOIS, COUNCILWOMAN ANTHONY, COUNCILMEN ESPINAL, GONCALVES, COUNCILWOMEN GRAVES, HARRIS, PETERSON, COUNCILOR PICHARDO, COUNCILWOMAN RYAN, COUNCILOR SANCHEZ, COUNCILWOMAN VARGAS AND COUNCILMAN VARGAS – 13.**

**ABSENT: COUNCILOR ROIAS AND COUNCILMAN TAYLOR – 2.**

**ALSO PRESENT: TINA L. MASTROIANNI, CITY CLERK, SHERI A. PETRONIO, FIRST DEPUTY CITY CLERK, ANGELA J. HARRIS, FIRST DEPUTY CITY CLERK, NAPOLEON ASKIE, CITY SERGEANT AND JEFFREY DANA, CITY SOLICITOR**

## INVOCATION

The Invocation is given by **COUNCILMAN OSCAR O. VARGAS**.

"God, please give us vision and help us to move the city forward in our neighborhoods. Please take care of every single councilperson and please help us make the right decisions for our constituents and always make the right decision for our taxpayers. God, please bless everyone here today and let's have unity and work together. Amen."

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## PLEDGE OF ALLEGIANCE

**COUNCIL PRESIDENT MILLER** 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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## ELECTION

### ELECTION OF ONE (1) MEMBER TO THE PROVIDENCE EXTERNAL REVIEW AUTHORITY (PERA)

**COUNCIL PRESIDENT MILLER** calls for Nominations of One (1) Member to the Providence External Review Authority (PERA).

**COUNCILOR PICHARDO** Nominates **NORMA GONZALEZ**, and this nomination is Seconded by **COUNCILWOMAN HARRIS**.

**COUNCIL PRESIDENT MILLER** calls for further Nominations and there being none, on motion of **COUNCILOR PICHARDO**, Seconded by **COUNCILWOMAN HARRIS**, it is voted that Nominations be closed and the Clerk is directed to cast One Ballot for **NORMA GONZALEZ**.

The Clerk casts one ballot as directed.

**COUNCIL PRESIDENT MILLER** thereupon declares **NORMA GONZALEZ** duly Elected as a Member of the Providence External Review Authority (PERA).

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## APPOINTMENT BY HIS HONOR THE MAYOR

Communication from His Honor the Mayor, dated July 9, 2024, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended and Chapter 2, Article XXII, Section 2-354 of the Code of Ordinances, he is this day appointing **Anusha Venkataraman** of 108 Shaw Avenue, Cranston, Rhode Island 02905, as a member of the **Art in City Life Commission** for a term to expire on April 30, 2026. (Ms. Venkataraman replaces Ms. Horada whose term expired).

**COUNCILOR PICHARDO Moves to Waive the Reading of item 4, Seconded by COUNCILWOMAN HARRIS.**

**COUNCIL PRESIDENT MILLER Receives item 4.**

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

**The Following Ordinances were in City Council July 11, 2024, Read and Passed the First Time and are Severally Returned for Passage the Second Time:**

**COUNCILOR ANDERBOIS, COUNCIL PRESIDENT MILLER, COUNCILMAN ESPINAL AND COUNCILWOMAN PETERSON**

An Ordinance Amending Chapter 5 "Buildings and Structural Appurtenances" of the Code of Ordinances to rename Article X "Greenhouse Gas Emissions Reduction Targets in Buildings" and add Sections 5-126 "Building Energy Reporting Program" and 5-140 "Energy Efficiency and Carbon Neutral Goals for Municipal Buildings".

Section 1: Chapter 5 "Building and Structural Appurtenances" is hereby amended as follows:

### **Article X - GREENHOUSE GAS EMISSIONS REDUCTION TARGETS IN BUILDINGS**

#### **Sec. 5-126. BUILDING ENERGY REPORTING PROGRAM.**

(a) *Purpose and intent.* The purpose and intent of the Building Energy Reporting Program is to create a data collection process and establish a database to enable municipal tracking of energy use of large buildings in the City of Providence, as well as to:



- (1) To encourage efficient use of energy and to reduce greenhouse gas emissions by requiring annual measurement and disclosure to the City of building energy usage;
- (2) To enable more effective energy and climate mitigation planning by the City, the state, and large building owners;
- (3) To gather data necessary for informing the design and implementation of municipal programs to meet the science-based targets in the statewide Act on Climate legislation.
- (4) To provide the public with information concerning the City's and others' energy consumption, improvement in energy efficiency, and reduction of greenhouse gas emissions.

Sec. 5-127. Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a differing meaning:

*Benchmarking information* shall mean information generated by the Benchmarking Tool as herein defined, including information about the physical property and its operational characteristics. The information shall include, but need not be limited to:

- (1) Property address;
- (2) Primary use type;
- (3) Gross floor area;
- (4) Annual Energy Use;
- (5) Source Energy Use Intensity (EUI); Site EUI, Weather Normalized Source EUI, Weather Normalized Site EUI;
- (6) Annual greenhouse gas emissions;
- (7) Compliance or noncompliance with this Ordinance.

*Benchmarking Tool* shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the U.S. Environmental Protection Agency (U.S. EPA) to track and assess the relative energy performance of buildings nationwide. Should ENERGY STAR Portfolio Manager become unavailable for any reporting year(s), the reporting obligations herein will be suspended until such time it is again available or a comparable alternative is designated by the Department of Sustainability.

*Campus* shall mean two or more buildings that are served by shared utility services and predominantly used for health care, research or higher education purposes.

*Covered property* shall mean all residential and non-residential buildings and Campuses in the City that contain 20,000 or more gross square feet and all municipal buildings and Campuses in the City that contain 10,000 or more gross square feet as defined herein and identified by the Tax Assessors Database.

*Dwelling unit* shall mean a single residential unit consisting of one or more rooms, occupied or arranged to be occupied as a residential unit separate from all other residential units within a building, and used primarily for residential purposes and not primarily for professional or commercial purposes.

*Director* means the Director of the Department of Sustainability or designee.

*Energy* shall mean electricity, natural gas, steam, hot or chilled water, heating oil, or other product for use in a building, or renewable electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities.

*ENERGY STAR* shall mean the U.S. Environmental Protection Agency program related to improving energy efficiency in buildings and products.

*Gross square feet* shall mean the gross floor area of the property as defined by the U.S. EPA Portfolio Manager.

*Municipal property* shall mean a building that contains 10,000 or more gross square feet that is owned by the City of Providence.

*Owner* shall mean:

- (1) An individual or entity designated in the records of the City Tax Assessor as the owner of a Covered Property;
- (2) An agent authorized by law to act on behalf of the owner of a Covered Property;
- (3) In the case of a condominium, the person or persons authorized by law to act on behalf of the condominium association or its board of directors, managers or trustees; and/or
- (4) In the case of a cooperative, the person or persons authorized by law to act on behalf of the cooperative.

*Site Energy* shall mean the annual amount of all the energy each property consumes on-site, regardless of the source. It not only includes energy purchased from a utility or in bulk, but also renewable energy generated and consumed on-site such as from solar or wind (excess renewable energy generated on-site is excluded from site energy use). Site Energy can be used to understand how the energy use for an individual property has changed over time.

*Source Energy* shall mean the total amount of raw fuel that is required to operate your property. Source EUI (Energy Use Intensity) is Source Energy divided by the property's Gross Floor Area. In addition to what the property consumes on-site, source energy includes losses that take place during generation, transmission, and distribution of the energy, thereby enabling a complete assessment of energy consumption resulting from building operations. Source Energy will be used to understand the complete energy impact of each property and compare the energy performance across covered properties in the program.

*Tenant* shall mean a person or entity leasing, occupying or holding over possession of a Covered Property or Municipal Property.

*Utility* shall mean an entity that distributes, supplies, or transmits energy to Covered Properties.

#### Sec. 5-128. Establishment.

There is hereby established a Building Energy Reporting Program for Covered Properties with the purpose of helping the City conserve energy, reduce energy costs for businesses, and meet its goal to be carbon neutral by 2050 by requiring large building owners to benchmark their buildings' energy use and report this data to the City. The City will be responsible for reporting this information to the public in order to provide transparency to the marketplace.

#### Sec. 5-129. Benchmarking required for municipal properties.

No later than May 15, 2024 and by May 15 thereafter, the City, by the Director of the Department of Sustainability or their designee, shall input annual energy use from January 1st through December 31st of the previous calendar year and all other descriptive information required by the Benchmarking Tool, into the Benchmarking Tool for each of its covered properties. Where a Covered Property's Benchmarking Information in the Benchmarking Tool has fallen out of date, said Benchmarking Information shall be updated no later than the annual reporting date.

#### Sec. 5-130. Benchmarking required for other covered properties.

Owners of Covered Properties shall input annual energy use from January 1st through December 31st of the previous calendar year and all other descriptive information required by the Benchmarking Tool, into the Benchmarking Tool, according to the following schedule:

- (1) For buildings that contain 50,000 or more gross square feet, no later than May 15, 2025 and by every May 15 thereafter;
- (2) For buildings that contain 20,000 to 49,999 gross square feet, no later than May 15, 2026 and by every May 15 thereafter;
- (3) For buildings that contain 10,000 to 19,999 gross square feet, by May 15, 2026;

- (4) Following the receipt of Certificate of Occupancy, a new Covered Property that has not yet accumulated 12 months of energy use data by the first applicable reporting deadline shall comply with this Ordinance in the following year.

#### Sec. 5-131. Notification of Covered Properties.

Between September 15 and December 15 of each year, the City shall notify Owners of Covered Properties of their obligation to input Energy use into the Benchmarking Tool. By January 31 of each year, the City shall post a list of the addresses of Covered Properties. The list shall be published in the Office of the City Clerk and on the Department of Sustainability's City webpage.

#### Sec. 5-132. Exemptions.

An owner of an otherwise "Covered Property" may seek an exemption from the requirements of this Ordinance for a reporting year if any of the following conditions apply:

- (1) None of the property was occupied for the entire calendar year required to be benchmarked;
- (2) A demolition permit for the entire property was issued and demolition work commenced during the calendar year;
- (3) The property did not receive energy services for the entire calendar year required to be benchmarked
- (4) The property was a Residential Property with 15 or fewer Dwelling Units; and

If the building owner has substantial and documented difficulty accessing data from tenants and/or the relevant utility.

Applications for exceptions can be filed with the Director of the Department of Sustainability, using a form created by the Department, and with all relevant supporting documentation included and notarized prior to submission. Waivers will be granted or denied at the discretion of the Director of the Department of Sustainability.

#### Sec. 5-133. Provision and publication of benchmarking information.

Owners shall annually provide Benchmarking Information to the Director, in such form as established by the Director, by the date provided by the schedule in Sec. 5-130 above.

No later than October 15, 2024 and thereafter by October 15 of each year, the Director shall deliver a summary report on the program to the Administration and City Council and then publish said report on the Department of Sustainability's webpage. The report shall include, but not be limited to:

- (1) Benchmarking Information for each Covered Property, as described in Sec. 5-127, Definitions, above, for the current year;
- (2) Progress against baseline year data from intervening years for both energy use and GHG emissions.
- (3) Covered Properties' compliance status with the Energy Assessment or Actions Requirements described in Sec. 5-135 below.

Sec. 5-134. Direct upload.

Owners of Covered Properties may authorize an energy utility or other third party to report building-specific energy data on their behalf to the Director. Such authorization shall not remove the obligation of property owners to comply with reporting requirements.

Sec. 5-135. Energy assessments or actions.

The Director shall establish requirements for energy assessment or actions, in the manner set forth below. Each Covered Property not exempted by the Director shall complete either an energy assessment or action, described below, within five (5) years of its first energy reporting deadline and within every five (5)-year period thereafter. The owner may elect whether to complete an assessment or an action.

Sec. 5-136. Energy assessment or action requirements.

- (1) In establishing requirements for energy assessments, the Director shall look to the most recent edition of Procedures for Commercial Building Energy Audits published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) for guidance, and may vary these requirements based on building size, age, energy performance, and other building characteristics as well as incentives in utility-administered or other energy efficiency programs and changes in energy assessment technology.
- (2) Energy actions may include investments in energy conservation measures, development of comprehensive energy management plans, retro commissioning of energy systems, or similar actions.
- (3) Summary results of energy assessments and actions shall be reported to the Director in such form as the Director shall specify.

Sec. 5-137. Maintenance of records.

Owners shall maintain and make available upon request the following records for a period of five (5) years:

- (1) The U.S. EPA Portfolio Manager Confirmation email evidencing the date the Owner submitted its report;
- (2) Such other records as the Director determines is necessary for carrying out the purposes of this Ordinance, as reflected in the Director's regulations.



- (3) Sellers of Covered Property will provide purchasers all information necessary for the purchaser to report Benchmarking Information in a timely manner.

Sec. 5-138. Violations and Enforcement.

Any person or entity that violates any provision of this Ordinance shall be subject to the following civil remedies:

- (1) For the first violation, the City may issue a written warning to the building owner.
- (2) For a second or subsequent violation, the City may impose civil fines as follows for each building not reported:
  - (a) For Buildings that contain 50,000 or more gross square feet, \$40.00 per day to a maximum of \$4,000.00 per year;
  - (b) For Buildings that contain 20,000 or more gross square feet, \$30.00 per day to a maximum of \$3,000.00 per year;
- (3) Upon request by the Director, the Office of Sustainability shall issue notices of violation in accordance with this section. The Director shall identify the department responsible for conducting enforcement.
- (4) Any person who makes a misrepresentation of a material fact in any document or filing governed by this Ordinance shall be subject to any and all other remedies available at law.
- (5) In addition to any remedies provided above, the City may, by and through the Solicitor, seek injunctive relief in a court of competent jurisdiction.
- (6) This subsection shall not be amended unless a public hearing is convened by a committee of the Council.

Sec. 5-139. Severability.

If any provision of this Ordinance shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

**5-140. Energy Efficiency and Carbon Neutral Goals for Municipal Buildings.**

(a) Purpose and intent.

The purpose and intent of this article is to ensure that the City of Providence is leading by example and ensuring that municipal buildings are carbon neutral by 2040. Specifically, this article is intended to create guidelines to ensure all municipal buildings are no longer fueled by fossil fuel or onsite combustion and are carbon neutral. This article intends to encourage electrification coupled with energy efficiency upgrades including, but not limited to, electric heating and cooling systems, electric hot water heating, 100% renewable energy consumption, maximum on-site renewable energy production, thermal energy networks, and biofuel or battery electric emergency backup facilities, in all municipal buildings, including schools. As well as to:

- (1) Align the city of Providence’s municipal capital improvements and maintenance projects with existing state requirements outlined in R.I.G.L 42-6.2-9 (The Act on Climate; Statewide greenhouse gas emission reduction mandate), and R.I.G.L 39-26 (Renewable Energy Standard).
- (2) Provide a path forward to meeting the goals set forth in the Providence Climate Justice Plan of 2019; and
- (3) Provide a guide to prioritizing municipal buildings for energy efficiency, electrification, and carbon reduction improvements.
- (4) Expand equitable access to clean energy careers with family-sustaining wages and benefits as part of the city of Providence plan to decarbonize its building stock

**Sec. 5-141. Definitions.**

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a differing meaning:

*Analysis of feasibility* means a report created by a qualified professional that estimates the costs, savings, cost-effectiveness, and greenhouse gas reductions for an on-site renewable energy system, electric heating and cooling system, thermal energy network, or energy-efficiency measure, and shall include a financial plan with sources and uses of funding, including but not limited to, federal, state, and utility incentives.

*Carbon Neutral Building* means a building where the design, construction, and operations do not contribute to emissions of greenhouse gases that cause climate change.

*Capital improvements* shall mean improvements to the physical infrastructure of a building including building systems such as HVAC and major equipment.

*Cost-effective* means measures that are projected to generate energy cost savings and avoided social cost of carbon dioxide equal to or greater than overnight capital costs and operations and maintenance costs over the lesser of

- (i) Useful life of the equipment, or
- (ii) 20 years

*Covered Project* means a construction, capital improvement, renovation or maintenance project on buildings owned by the City of Providence, including buildings owned by the City and managed by other entities, as well as any capital improvements and maintenance of mechanical systems in each building, especially when those systems are upgraded, including but not limited to:

- (i) The building envelope
- (ii) Lighting and controls
- (iii) Heating, Ventilation, and Air Conditioning (HVAC) systems
- (iv) Building management systems

*Energy* shall mean electricity, natural gas, steam, hot or chilled water, heating oil, or other product for use in a building, or renewable electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities.

*Greenhouse gas* means climate pollution released by burning fossil fuels that alter the atmosphere, including carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

*Maintenance* means amounts spent for repairs or replacements for the purpose of keeping a municipal building open and safe for use, including repairs, maintenance, and replacements to a municipal building's heating, lighting, ventilation, security, building management system, and other fixtures to keep the facility or fixtures in effective working condition. Maintenance shall not include contracted or direct custodial or janitorial services, expenditures for the cleaning of a municipal building or its fixtures, the care and upkeep of grounds, recreational facilities, or parking lots, or the cleaning of or repairs and replacements to movable furnishings or equipment.

*Measurement and Verification (M&V)* is the process of planning, measuring, collecting, and analyzing data for the purpose of verifying and reporting energy and carbon savings within an individual facility resulting from capital improvements specific to and in alignment with this ordinance.

*Renewable energy* shall mean renewable energy resources as described in R.I.G.L 39-26 (Renewable Energy Standard).

*Thermal energy* means piped non-combustible fluids used for transferring heat into and out of buildings for the purpose of eliminating any resultant on-site greenhouse gas emissions of all types of heating and cooling processes, including, but not limited to, comfort heating and cooling, domestic hot water, and refrigeration.

Thermal energy network means all real estate, fixtures and personal property operated, owned, used or to be used for or in connection with or to facilitate a utility-scale distribution infrastructure project that supplies thermal energy.

#### **Sec. 5-142. Scope and applicability.**

This article is applicable to all buildings owned by the City of Providence, including buildings owned by the City and managed by other entities. This article is applicable to all capital improvements and maintenance of mechanical systems in every municipal building, especially when those systems are upgraded, including but not limited to:

- (i) The building envelope
- (ii) Lighting and controls
- (iii) Heating, Ventilation, and Air Conditioning (HVAC) systems
- (iv) Building management systems

#### **Sec. 5-143. Priorities and Timeline.**

All municipal buildings are to be carbon neutral buildings by 2040. School facilities shall meet the latest definition of Zero Energy Capable as defined by the Northeast Collaborative for High Performance schools (NE-CHPS) by 2040. The priorities for reaching carbon neutrality for each building include, but are not limited to the following:

- (i) Completing a comprehensive accounting and analysis of all energy uses in all municipal buildings.
- (ii) Identification and analysis of energy efficiency measures and energy saving opportunities, as well as applicable local, state, federal, and other sources of capital to defray costs of these measures. Investing in all cost-effective energy efficiency and energy savings opportunities.
- (iii) Analysis of the feasibility of using thermal energy and thermal energy networks at the facility, including any anticipated limitations on the use of thermal energy networks, along with a characterization of any such limitations, including whether they are permanent, temporary, or resolvable in a cost-effective basis.
- (iv) Determination of the feasibility and advisability of gathering, combining, or expanding any clean energy sources or central thermal energy networks with neighboring or nearby related municipal facilities.
- (v) An analysis of the feasibility of installing electrically powered space and water heating and cooling systems, and associated structural and electrical upgrades, with a goal of all electric buildings.
  - a. Where and when electrically powered space and water heating and cooling systems are determined to be cost-effective, the City will prioritize these recommended systems and place the system in service, except in cases where thermal energy and thermal energy networks are installed as suitable cost-effective alternatives.
- (vi) Preference for the installation of on-site renewable energy generation where feasible based on location and building characteristics (orientation, sunshade, etc.), as well as battery storage systems.
- (vii) Require all public buildings to have an energy use intensity (EUI) assessment within a year of passage in order to prioritize the need for an investment grade energy audit.



- (viii) Schedule investment grade energy audits based on the above prioritization for buildings with the worse EUI ratings, or with the most favorable renewable energy potential within three years of passage (unless one has been performed in the prior two years), to assess energy savings opportunities, electrification potential, and renewal and battery energy storage system capabilities, and updated based on funding potential and required levels of performance. Buildings scheduled to receive capital improvements based on the City's CIP or other schedules must undergo an investment grade energy audit prior to the issuing of formal construction documents.
- (ix) Within a year of the investment grade audit, the city will assess the audit findings and create a priorities plan for capital improvements to advance the decarbonization goals of the city/described in this article.
- (x) All school buildings must be not powered by metered and delivered fossil fuel by 2040 for all primary building systems. Starting immediately, no new connections to the fossil fuel system from a municipal building will be permitted, provided that the replacement thermal system for heating, cooling, hot water, and appliances in the building provides the same or greater safety, reliability, and cost-effectiveness as defined in Sec. 5-127~~141~~141.
- (xi) All other municipal buildings must have completed the relevant evaluations as described above and invest in all cost-effective energy efficiency and clean energy systems to move toward full electrification as soon as it is cost-effective, leveraging all available local, state, federal, and other available funding. All other municipal buildings must be powered by 100% carbon pollution-free electricity by 2033, at least half of which will be locally supplied clean energy, as required in the Climate Justice Plan.

#### **Sec. 5-144. Annual Reporting Guidelines.**

The Departments of Public Property, Sustainability, and/or Providence Public School Department shall submit an annual report on progress towards achieving carbon neutrality by 2040 to the City Council and the Mayor. The annual report shall include, but is not limited to, the following information:

- i) Energy and carbon neutral benchmarks.
- ii) Overall energy use and carbon emissions trends.
- iii) A plan for the upcoming year in action steps to reduce energy use and carbon emissions in municipal buildings.
- iv) Operation goals.
- v) A maintenance plan for upgraded buildings.
- vi) Any associated annual budgetary needs for meeting the goals set forth in this article.
- vii) Jobs created or sustained by these projects.

#### **Sec. 5-145. Labor Standards.**

The City shall support equitable access to family-sustaining jobs with good wages and benefits by:



- (i) For all projects subject to the provisions of this ordinance, the city will comply with the requirements of property owners in Article XVIII Section 21-306(h) Providence Tax Stabilization Investment Act.
- (ii) Conducting an independent, objective, reasoned study, using reviewable criteria, to determine whether adoption of a project labor agreement on the proposed project or projects will help achieve the goals of the state purchases act, for all covered projects over twenty-five million dollars (\$25,000,000).

**Sec. 5-146. Severability.**

If any provision of this ordinance shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

**SECTION 2.** This Ordinance shall take effect upon passage.

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**COUNCILMAN GONCALVES, COUNCIL PRESIDENT MILLER,  
COUNCILOR ANDERBOIS, COUNCILMAN ESPINAL, COUNCILWOMAN  
PETERSON, COUNCILOR PICHARDO, COUNCILWOMEN VARGAS,  
ANTHONY, GRAVES AND COUNCILMAN VARGAS**

An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence Entitled: "The City of Providence Zoning Ordinance," Approved November 24, 2014, as amended, to add provisions to Section 1911 Certificate of Appropriateness.

**1911 CERTIFICATE OF APPROPRIATENESS**

**A. Purpose**

Before a property owner commences construction, alteration, repair, removal, or demolition of any existing structure or its appurtenances within a Historic District Overlay District, the owner shall be granted a certificate of appropriateness from the Historic District Commission.

A certificate of appropriateness is required whether or not a building permit is required.

**B. Initiation**

A property owner, or person expressly authorized in writing by the property owner, shall file an application for a certificate of appropriateness for any development, including demolition, within a Historic District Overlay District.

A property owner may only file an application for a certificate of appropriateness for property under his/her control.

~~No demolition permit shall be issued and no demolition may occur until the Historic District Commission has issued a certificate of appropriateness.~~

#### C. Authority

1. The Historic District Commission, as applicable, will approve a certificate of appropriateness. The Historic District Commission may delegate to the staff authority to issue a certificate of appropriateness in certain circumstances without a public hearing in accordance with the Standards and Guidelines as adopted or by action of the Historic District Commission at a public hearing. The staff may not deny a certificate of appropriateness, but shall refer such action to the Historic District Commission for a hearing.
2. The Historic District Commission may, at the applicant's expense, hire experts to opine on the validity of evidence and testimony submitted as part of a demolition application. This may include, but is not limited to, an initial evaluation of the historic or architectural significance of the building, and, for structures found by the Historic District Commission to be historically or architecturally significant, an appraisal of the property and/or structural analysis of the building.

#### D. Applicability

All construction, alteration, repair, removal, or demolition of any existing structure or its appurtenances within a Historic District Overlay District requires a certificate of appropriateness.

#### E. Procedure

1. Within 45 days of receipt of a complete application, the Historic District Commission shall hold a public meeting on an application for a certificate of appropriateness. Notice is required in accordance with Section 1801.
2. An application for a certificate of appropriateness may be approved, approved with conditions, or denied. The Historic District Commission shall issue written findings for the reasons and basis of each decision regarding the certificate of appropriateness. When denying an application, the Historic District Commission shall include the basis for its finding of denial that the proposed activity would be incongruous with those aspects of the structure, appurtenances, or the district which the Commission has determined to be historically or architecturally significant. The Historic District Commission shall send a copy of the decision to the applicant and to the Director of the Department of Inspection and Standards and the action taken by the Historic District Commission is binding on the Director. No application may be denied without a hearing.
3. If the Historic District Commission fails to act within 45 days of receipt of a complete application, the application is deemed approved, unless an extension of time has been agreed to by the applicant and the Historic District Commission.

4. If the Historic District Commission makes a finding of fact within the 45 day period that a particular application requires additional time for study and information, then the Historic District Commission has an additional 90 days from the date of the receipt of a complete application to act upon such application. An extension of time may be agreed to by the applicant and the Historic District Commission beyond this 90 day period.

5. A certificate of appropriateness may be issued without a public hearing for ordinary maintenance or repair of any structure within ana historic district provided that such maintenance or repair does not result in any change of design, type of material, or appearance of the structure or its appurtenances. The Historic District Commission may delegate to the staff the authority to approve and issue certificates of appropriateness in such circumstances.

## F. Approval Standards

### 1. General

The Historic District Commission will evaluate all applications in accordance with the criteria established in its adopted "Standards and Guidelines." The Historic District Commission acts only on exterior features of a structure and its appurtenances. In reviewing an application for a certificate of appropriateness, the Historic District Commission has the power to call in experts to aid in its deliberations and may incorporate the conclusions of such experts in its decisions.

### 2. Special Criteria for Demolition

In order to preserve the historic fabric of the City, demolition of historic properties is discouraged. When reviewing an application for a certificate of appropriateness to demolish ana historic structure or appurtenance, the Historic District Commission shall consider the following criteria, in addition to the provisions of the adopted "Standards and Guidelines."

#### a. Structures Valuable to the City

In the case of an application for demolition of any structure, appurtenance, or a portion of a structure which the Historic District Commission deems so valuable to the City, the state, or the nation, that the loss thereof will be a great loss to the City, the state, or the nation, the Historic District Commission will endeavor to work out with the owner an economically feasible plan for the preservation of such structure on its present site. The Historic District Commission may issue a certificate of appropriateness to demolish only if it is satisfied that the retention of such structure constitutes a hazard to public safety which hazard cannot be eliminated by economic means available to the owner, including sale of the structure to any purchaser willing to preserve such structure.

#### b. Structures Valuable for the Period



In the case of an application for demolition of any structure, appurtenance, or a portion of a structure deemed to be valuable for the period of architecture which it represents and its importance to the neighborhood within which it exists, the Historic District Commission may issue a certificate of appropriateness to demolish only if it finds that at least one of the following conditions exists:

- i. Retention of such structure constitutes a hazard to public safety which hazard cannot be eliminated by economic means available to the owner, including sale of the structure on its present site to any purchaser willing to preserve such structure.
- ii. Preservation of such structure is a deterrent to a major improvement program that will be of substantial benefit to the community.
- iii. Preservation of such structure would cause undue or unreasonable financial hardship to the owner, taking into account the financial resources available to the owner including sale of the structure to any purchaser willing to preserve such structure.
- iv. Preservation of such structure would not be in the interest of the majority of the community.

#### c. Additional Study Required

Because the findings required to be made in either (a) or (b) of this section necessarily requires further time for additional study and information on an application for demolition of any structure, appurtenance, or a portion of a structure, the Historic District Commission automatically has a period of up to ninety (90) days within which to act upon the application.

#### d. Lack of Findings

If the Historic District Commission does not or cannot make the findings required in either (a) or (b) of this section, then an application for a certificate of appropriateness to demolish a historic structure or appurtenance shall be denied.

### G. Demolition Regulations

#### 1. Acceptance of Demolition Applications

For a property that is individually listed on the National Register of Historic Places or a property deemed to be a contributing structure within a National Register Historic District, an application shall not be considered accepted by the Historic District Commission until or unless a property owner can demonstrate (1) a continuing, bona fide and reasonable effort to sell the structure to any such purchaser willing to move and preserve such structure for a minimum period of at least three (3) months, or a longer period as promulgated by the Historic District Commission; (2) that these marketing efforts have been publicly advertised; and (3) the Providence Preservation Society, Preserve Rhode Island, and the Rhode Island Historical Preservation and Heritage Foundation have been notified of these marketing efforts. Nothing herein shall limit the powers of the Historic District Commission with respect to other properties.



## 1.2. Alternatives to Demolition

The Historic District Commission will assist the owner in identifying and evaluating alternatives to demolition, including sale of the structure on its present site. When considering an application to demolish a structure of historic or architectural value, in addition to any other criteria, the Historic District Commission shall consider the following: a. Whether there is a reasonable likelihood that some person or group other than the current owner is willing to purchase, move, and preserve such structure. b. Whether the owner has made continuing, bona fide and reasonable efforts to sell the structure to any such purchaser willing to move and preserve such structure.

## 2.3. Avoiding Demolition Through Owner Neglect

The City Council, or its designee, in consultation with the Historic District Commission, may identify structures of historical or architectural value whose deteriorated physical condition endangers the preservation of such structure or its appurtenances. The Council will publish standards for maintenance of properties within historic districts. Upon the petition of the Historic District Commission that a historic structure is so deteriorated that its preservation is endangered, the Council may establish a reasonable time of no less than 30 days within which the owner shall begin repairs. If the owner has not begun repairs within the allowed time, the Council or its designee shall hold a hearing at which the owner may appear and state his reasons for not commencing repairs. If the owner does not appear at the hearing or does not comply with the Council's orders, the Council or its designee may cause the required repairs to be made at the expense of the City and cause a lien to be placed against the property for repayment. The Historic District Commission will cooperate with and assist the City Council in exercising the provisions of this section.

## 3.4. Emergency Demolition

Should the Director of the Department of Inspection and Standards determine that a structure is unsafe or hazardous and an imminent hazard to public safety for a reason such as being in danger of imminent collapse from damage caused by human action or an act of God, a committee consisting of the Director of the Department of Inspection and Standards, Fire Marshal, Planning Director, a structural engineer to be hired under City auspices, and the Chair of the Historic District Commission, or their designees, shall convene immediately to evaluate whether the structure shall be demolished. The committee shall evaluate all pertinent information including, but not limited to, the structural condition of the structure, the historic value of the structure, and the danger to the public. The Director may order partial or full demolition based on the consensus of the committee. If the Director of the Department of Inspection and Standards, in consultation with on-site life safety officials, determines that the structure is in danger of imminent collapse or is an immediate danger to public safety and there is no time to convene the aforementioned committee, he/she may order the structure demolished immediately. The Director of the Department of Inspection and Standards shall issue a report to the Historic District Commission stating the reasons for the order.



#### 4. Demolition Delay

~~Notwithstanding the other provisions of this section, in the case of an application for demolition of any structure, appurtenance, or a portion of a structure within a Historic District Overlay District, the Historic District Commission shall not issue a certificate of appropriateness any sooner than a period of six months from the date of application; provided, however, that said delay shall not apply in the case of emergency demolition.~~

#### 5. Archival Documentation

Prior to demolition of any structure determined to be valuable to the city or for the period, as provided for in this section, the applicant shall assemble an archival package, including a history of the property, elevation drawings, floor plans, and exterior and interior photographs, and shall submit the package to the Rhode Island Historical Preservation and Heritage Commission as part of the Rhode Island Historical Resources Archive as well as to the city archives department. The requirements and guidelines for this documentation may be further defined and regulated by the Historic District Commission.

#### H. Inspections

The Historic District Commission may inspect work in progress after a certificate of appropriateness has been issued to insure that work is proceeding in accordance with the approval received. If the Historic District Commission finds that the work in progress does not conform to the certificate of appropriateness, the Historic District Commission will advise the Director of the Department of Inspection and Standards, who will enforce the requirements of the Certificate of Appropriateness in accordance with this Ordinance.

#### I. Appeals

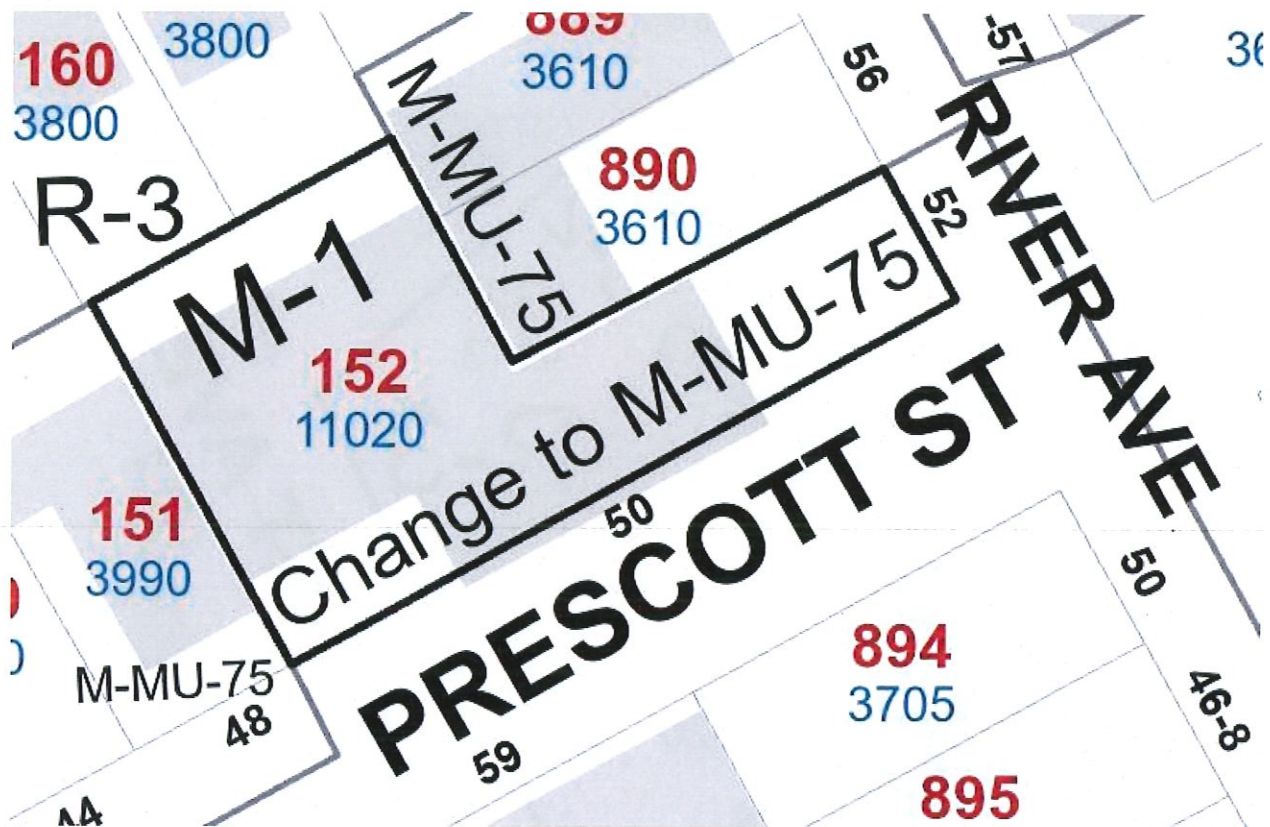
An aggrieved party has the right to appeal a decision of the Historic District Commission to the Zoning Board of Review, and a further right of appeal from the Zoning Board of Review to the Superior Court, and from the Superior Court to the Supreme Court by writ of certiorari. The appeal to the Zoning Board shall be made within 20 days of the issuance of a written determination by the Historic District Commission on any plan or petition submitted to it or any revisions thereof.

#### G. Reapplication Restrictions

~~In the absence of change in such structure arising from a casualty event or occurrence, following the denial of an application, no new application for the same or similar work shall be filed within one year after such rejection.~~

An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence, Entitled: "The City of Providence Zoning Ordinance," Approved November 24, 2014, As Amended, to change the Zoning District on the Official Zoning Map for the Property located on Assessor's Plat 65, Lot 152 (52 River Avenue), from M-1 to M-MU-75.

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 the Property located on Assessor's Plat 65, Lot 152 (52 River Avenue), from M-1 to M-MU-75.

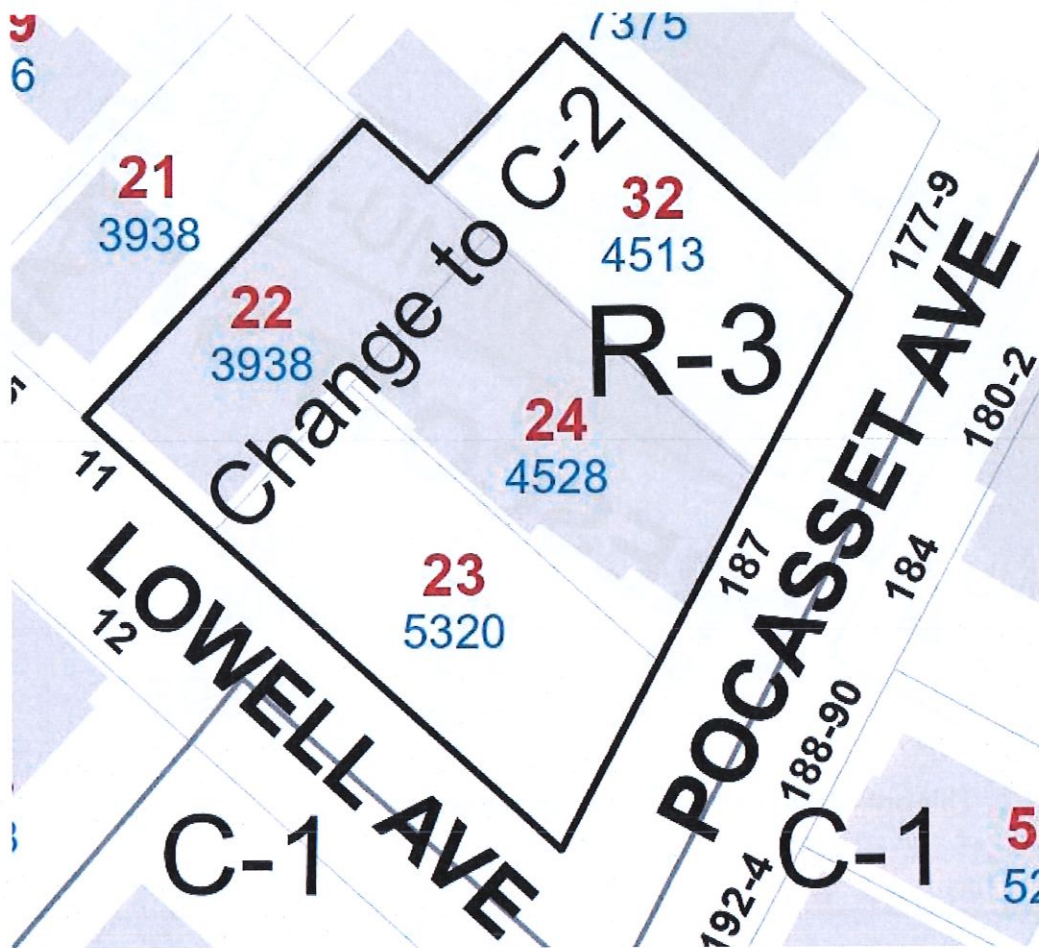


SECTION 2. This ordinance shall take effect upon passage.



An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence, Entitled: "The City of Providence Zoning Ordinance," Approved November 24, 2014, As Amended, to change the Zoning District on the Official Zoning Map for the Property located on Assessor's Plat 108, Lot 32 (181 Pocasset Avenue), Assessor's Plat 108, Lot 24 (187 Pocasset Avenue), Assessor's Plat 108, Lot 23 (191 Pocasset Avenue) and Assessor's Plat 108, Lot 22 (11 Lowell Avenue), from R-3 to C-2.

SECTION 1. Chapter 27 of the Code of Ordinances of the City of Providence, Entitled: "The City of Providence Zoning Ordinance," Approved November 24, 2014, As Amended, is hereby further amended by changing the Zoning District on the Official Zoning Map for the Property located on Assessor's Plat 108, Lot 32 (181 Pocasset Avenue), Assessor's Plat 108, Lot 24 (187 Pocasset Avenue), Assessor's Plat 108, Lot 23 (191 Pocasset Avenue) and Assessor's Plat 108, Lot 22 (11 Lowell Avenue), from R-3 to C-2.



SECTION 2. This ordinance shall take effect upon passage.

**COUNCILOR PICHARDO Moves to Waive the Reading of items 5 through 8 and Pass for the Second Time on a Roll Call Vote, Seconded by COUNCILWOMAN HARRIS.**

<b>RESULT:</b>	<b>READ/PASSED SECOND TIME [UNANIMOUS]</b>
<b>MOVER:</b>	Councilor Pichardo
<b>SECONDER:</b>	Councilwoman Harris
<b>AYES:</b>	Council President Miller, Councilor AnderBois, Councilwoman Anthony, Councilmen Espinal, Goncalves, Councilwomen Graves, Harris, Peterson, Councilor Pichardo, Councilwoman Ryan, Councilor Sanchez, Councilwoman Vargas and Councilman Vargas – 13.
<b>ABSENT:</b>	Councilor Roias and Councilman Taylor – 2.

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

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## **PRESENTATION OF RESOLUTION**

**COUNCILMAN GONCALVES, COUNCIL PRESIDENT MILLER,  
COUNCILMAN ESPINAL AND COUNCILWOMAN RYAN**

Resolution Honoring the Life and Legacy of the Honorable Councilman John M. Murphy.

**WHEREAS**, John M. Murphy, an esteemed member of the Providence community, passed away peacefully on June 13, 2024, at the age of 85; and

**WHEREAS**, John M. Murphy leaves an indelible legacy and a lasting commitment to the Fox Point community. Born and raised in Fox Point, John's life was a testament to his dedication to the neighborhood he loved so dearly. He was a true champion for his constituents, always striving to address their needs and improve their quality of life; and

**WHEREAS**, John was born on June 19, 1938, in the Fox Point section of Providence to Jeremiah and Catherine (Healy) Murphy, both of whom emigrated from Ireland; and

**WHEREAS**, John graduated from Hope High School in 1956 and attended Bryant College before serving his country honorably in Korea from 1958 to 1960 as a member of the United States Army; and

**WHEREAS**, Upon returning from military service, John entered the consumer loans industry, gaining invaluable experience across the country before returning to Providence in 1965; and

**WHEREAS**, John was elected to the Providence City Council in 1967, representing the constituents of Ward One from Wickenden Street to Wayland Square for four terms until 1975, during which he demonstrated a deep commitment to Ward 1 residents and the community; and

**WHEREAS**, In response to the financial challenges faced by his constituents, John resurrected the inactive state charter of Home Loan Investment Bank, transforming it into a federally chartered institution that originated home equity mortgages across 48 states and revolutionized the home loan industry; and



**WHEREAS**, John served as CEO of Beara Capital, Northern National Life Insurance Company, and the Home Credit Corporation of Rhode Island, earning recognition as the finance industry's Entrepreneur of the Year by INC. Magazine in 1991 and 1992; and

**WHEREAS**, John was a generous philanthropist, donating millions to various institutions including the Rhode Island Foundation, St. Joseph's Hospital, St. Jude's Children's Research Hospital, the Boys & Girls Clubs of Providence, and many more; and

**WHEREAS**, John's contributions extended to education, financing the San Miguel School in Providence, the Louverture Cleary School in Haiti, establishing an educational alliance for Southeast Asians, and creating the Major Jeremiah Murphy Scholarship Fund for children of Providence Police officers; and

**WHEREAS**, John was recognized with honorary doctoral degrees from both the University of Rhode Island and Providence College for his significant contributions to the community and education; and

**WHEREAS**, John's legacy includes the creation of the Murphy-Healy Irish Lecture Series at Providence College, a testament to his love and respect for his parents and Irish heritage; and

**WHEREAS**, John's life was marked by his unwavering support for his family, his dedication to public service, his entrepreneurial spirit, and his generous heart; and

**WHEREAS**, John is survived by his beloved wife of 55 years, Grace Sousa Murphy, his four sons John "Jay" M. Murphy Jr., Kevin B. Murphy, Brian J. Murphy, and Daniel A. Murphy, and his cherished grandchildren; and

**WHEREAS**, John was a mentor to many, including the current Ward 1 Councilman John Goncalves, and his impact on the community will be felt for generations to come; and

**WHEREAS**, To honor his legacy and lasting impact on the community, it is fitting to name one of the baseball fields in Gano Park as Councilman John Murphy Memorial Field.

**NOW, THEREFORE, BE IT RESOLVED**, That the Providence City Council hereby honors the life and legacy of John M. Murphy and expresses its deepest condolences to his family; and

**BE IT FURTHER RESOLVED**, That the Providence City Council hereby names one of the baseball fields in Gano Park as Councilman John Murphy Memorial Field in recognition of his dedicated service to the community and his lasting contributions to the City of Providence; and

**BE IT FURTHER RESOLVED**, That copies of this resolution be sent to the Murphy family as a token of the Council's esteem and respect and to the Parks Department so they can take the appropriate steps in renaming one of the Gano Park baseball fields in his honor.

**COUNCILOR PICHARDO Moves to Waive the Reading of item 9 and Pass on a Voice Vote, Seconded by COUNCILWOMAN HARRIS.**



<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilor Pichardo
<b>SECONDER:</b>	Councilwoman Harris
<b>AYES:</b>	Council President Miller, Councilor AnderBois, Councilwoman Anthony, Councilmen Espinal, Goncalves, Councilwomen Graves, Harris, Peterson, Councilor Pichardo, Councilwoman Ryan, Councilor Sanchez, Councilwoman Vargas and Councilman Vargas – 13.
<b>ABSENT:</b>	Councilor Roias and Councilman Taylor – 2.

**The Motion for Passage is Sustained.**

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## **REPORT(S) FROM COMMITTEE**

### **COMMITTEE ON FINANCE COUNCILWOMAN HELEN D. ANTHONY, Chairwoman**

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

**COUNCIL PRESIDENT MILLER, (By Request):**

Resolution Authorizing Approval of the following Contract Award by the Board of Contract and Supply in accordance with Section 21-26(2)(b) of the Code of Ordinances.

Aramsco, Inc. (Department of Public Property)	\$31,218.88
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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(2)(b) of the Code of Ordinances.

Aramsco, Inc. (Department of Public Property)	\$31,218.88
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Resolution Authorizing Approval of the following Contract Award by the Board of Contract and Supply in accordance with Section 21-26 (b)(1) and 2) of the Code of Ordinances.

Federal Hill Commerce Association (Department of Public Property)	\$1,000,000.00
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**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 (b)(1) and 2) of the Code of Ordinances.

Federal Hill Commerce Association (Department of Public Property)	\$1,000,000.00
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Resolution Authorizing Approval of the following Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 (b)(1) of the Code of Ordinances.

Green View Tree Service, LLC (Department of Public Property)	\$734,400.00
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**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 (b)(1) of the Code of Ordinances.

Green View Tree Service, LLC (Department of Public Property)	\$734,400.00
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Resolution Authorizing Approval of the following Encumbrance Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 (b)(1)&(2) of the Code of Ordinances.

Captona Partners Solar & Competitive Energy Services (Department of Public Property)	\$501,750.00
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**RESOLVED**, That the Members of the Providence City Council hereby Authorize Approval of the following Encumbrance Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 (b)(1)&(2) of the Code of Ordinances.

Captona Partners Solar & Competitive Energy Services (Department of Public Property)	\$501,750.00
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Resolution Authorizing Approval of the following Contract Award by the Board of Contract and Supply in accordance with Section 21-26 (b)(1) of the Code of Ordinances.

John Rocchio Corporation (Department of Parks)	\$2,210,600.00
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**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 (b)(1) of the Code of Ordinances.

John Rocchio Corporation (Department of Parks)	\$2,210,600.00
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Resolution Authorizing Approval of the following Contract Award by the Board of Contract and Supply in accordance with Section 21-26 (b)(1) of the Code of Ordinances.

Boyle and Fogarty Construction Co., Inc. (Water Supply Board)	\$19,668,680.00
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**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 (b)(1) of the Code of Ordinances.

Boyle and Fogarty Construction Co., Inc. (Water Supply Board)	\$19,668,680.00
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Resolution Authorizing Approval of the following Contract Award by the Board of Contract and Supply in accordance with Section 21-26 (b)(2) of the Code of Ordinances.

Blue Cross & Blue Shield of Rhode Island (Department of Human Resources)	\$787,297.32
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**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 (b)(2) of the Code of Ordinances.

Blue Cross & Blue Shield of Rhode Island (Department of Human Resources)	\$787,297.32
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Resolution Authorizing Approval of the following Contract Award by the Board of Contract and Supply in accordance with Section 21-26 (b)(4) of the Code of Ordinances.

The Providence Center (Police Department)	\$93,170.77
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**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 (b)(4) of the Code of Ordinances.

The Providence Center (Police Department)	\$93,170.77
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Resolution Authorizing Approval of the following Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 (b)(1) of the Code of Ordinances.

Edward Deutch Uniform aka Leader Uniforms (Police Department)	\$2,521,925.00
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**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 (b)(1) of the Code of Ordinances.

Edward Deutch Uniform aka Leader Uniforms (Police Department)	\$2,521,925.00
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Resolution Authorizing Approval of the following Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 (b)(2) of the Code of Ordinances.

The Providence Center, Inc. \$197,720.00  
(Police 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 (b)(2) of the Code of Ordinances.

The Providence Center, Inc. \$197,720.00  
(Police Department)

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Resolution Authorizing Approval of the following Change Order Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 (b)(4) of the Code of Ordinances.

Multiple Vendors \$460,000.00  
(Department of Public Works)

**RESOLVED**, That the Members of the Providence City Council hereby Authorize Approval of the following Change Order Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 (b)(4) of the Code of Ordinances.

Multiple Vendors \$460,000.00  
(Department of Public Works)

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Resolution Authorizing Approval of the following Change Order Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 (b)(4) of the Code of Ordinances.

Elmwood Sports Center, Inc. \$26,000.00  
(Recreation)

**RESOLVED**, That the Members of the Providence City Council hereby Authorize Approval of the following Change Order Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 (b)(4) of the Code of Ordinances.

Elmwood Sports Center, Inc. \$26,000.00

**COUNCILOR PICHARDO Moves to Waive the Reading of item 10 through 21, Pass on a Voice Vote and Refer Back to the Board of Contract and Supply, Seconded by COUNCILWOMAN HARRIS.**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilor Pichardo
<b>SECONDER:</b>	Councilwoman Harris
<b>AYES:</b>	Council President Miller, Councilor AnderBois, Councilwoman Anthony, Councilmen Espinal, Goncalves, Councilwomen Graves, Harris, Peterson, Councilor Pichardo, Councilwoman Ryan, Councilor Sanchez, Councilwoman Vargas and Councilman Vargas – 13.
<b>ABSENT:</b>	Councilor Roias and Councilman Taylor – 2.

**The Motion for Passage is Sustained.**

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Communication from His Honor the Mayor, dated May 31, 2024, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1013 of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day appointing **Cyd McKenna** of 28 Bainbridge Avenue, Providence, Rhode Island 02909, as a general citizenry category member of the **City Plan Commission** for a term to expire on January 31, 2029, and respectfully submits the same for your approval. (Ms. McKenna replaces Ms. Verdi who has resigned).

**COUNCILOR PICHARDO Moves to Waive the Reading of item 22 and Deny Without Prejudice, Seconded by COUNCILWOMAN HARRIS.**

<b>RESULT:</b>	<b>DENIED WITHOUT PREJUDICE [UNANIMOUS]</b>
<b>MOVER:</b>	Councilor Pichardo
<b>SECONDER:</b>	Councilwoman Harris
<b>AYES:</b>	Council President Miller, Councilor AnderBois, Councilwoman Anthony, Councilmen Espinal, Goncalves, Councilwomen Graves, Harris, Peterson, Councilors Pichardo, Sanchez, Councilwoman Vargas and Councilman Vargas – 12.
<b>ABSTAIN:</b>	Councilwoman Ryan – 1.
<b>ABSENT:</b>	Councilor Roias and Councilman Taylor – 2.

## FROM THE CLERK'S DESK

Petition from Nicholas J. Hemond, Esquire, DarrowEverett, LLP, One Turks Head Place, Suite 1200, Providence, Rhode Island 02903, on behalf of RAB Properties, LLC, requesting a text change to amend Section 2001 of the Zoning Ordinance of the City of Providence, Entitled: "Non-Conforming Uses".

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

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Petitions for Compensation for Injuries and Damages, viz:

Owen Rhodes  
(Emily Trieber, Esq.)  
Ohio Mutual Insurance Group  
a/s/o Sajuka Joof  
Marilyn Dinora and Amador Castillo  
(Marasco & Nesselbush, LLP)  
Lisa Roberts  
(Simone & Simone, LLP)  
Leny V. Rojas Alcantara  
Adian Dobbins Holmes  
(Orabona Law Offices, P.C.)  
Adrienne Holmes  
(Orabona Law Offices, P.C.)  
Ludwyard Augustin  
Bettzy Rivera  
Jessica Reynolds Ordonez  
Nathan Lathrobe  
Jeremy B. Savage  
Joseph DiCola

<b>RESULT:</b>	<b>REFERRED</b>
<b>TO:</b>	Committee on Claims and Pending Suits

**COUNCILOR PICHARDO Moves to Waive the Reading items 23 and 24, Seconded by COUNCILWOMAN HARRIS.**

**COUNCIL PRESIDENT MILLER Refers item 23 to the Committee on Ordinances and Refers item 24 to the Committee on Claims and Pending Suits.**



## PERSONAL EXPRESSION

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

“Today I rise to recognize a friend and also a public servant in the City of Providence. He was scheduled to be here, but as you know today was a tremendous day for the City of Providence as the funeral for Cedric Huntly is taking place at this time and the lines are incredible. The person I rise to recognize today is Michael Shepard, the Director of Sackett Recreational Center in Ward 9. Michael Shepard is a person that I have known over the years and a person that is committed and dedicated to the community, to youth and his family. I recall when he and I in the early 2000’s served in the Providence Civic Entrepreneur Initiative, which that was around 2000 and I wasn’t elected yet. It was about getting those who were not really active in politics or in the community and he was a graduate of that. Continuously, Michael Shepard is a person that implemented many programs in the Sackett Recreational Center, along with Miguel Luna who also served on the City Council, and he continued those efforts. He has tremendous community relations within the City of Providence, a person that is dedicated to his church and building a lasting relationship to bridge the gap when it comes to enriching the lives of many young people and the community. His strong advocacy and creating those resources for our community is exemplary. His legacy and commitment will always be remembered, and as I told him, he is a young person, very sharp, always respected among his peers, among parents and youth and I told him already he is not going anywhere. I am actually establishing an advisory committee in our community especially around the Rec and services for our youth through the Elmwood Community Center and the Rec Center and he has already said count me in. So, he is not going anywhere, but he is retiring from the Rec Center and today we’re going to be giving him a citation in recognition of his retirement of eleven years on behalf of our City Council here and from the Department of Recreation for his passion and commitment to the youth. Thank you, Madam President.”

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

### **COUNCIL PRESIDENT MILLER 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:

David Vollucci, Master Electrician, Providence Parks Department, in recognition of the celebration of your retirement after 30 years of dedicated service to the City of Providence.

Stacey Milagro Morales, in recognition of the celebration of your 15<sup>th</sup> Birthday on June 29, 2024!

Niecie Wright, in recognition of outstanding service and dedication to the City of Providence. Your unwavering commitment to ensuring the safety and well-being of our community, through your professionalism, vigilance, and dedication to duty hasn't gone unnoticed.

Micheal Butler, in recognition of outstanding service and dedication to the City of Providence. Your unwavering commitment to ensuring the safety and well-being of our community, through your professionalism, vigilance, and dedication to duty hasn't gone unnoticed.

Ralph Vierra Tavares, in recognition of the celebration of the Ceremonial Designation of Tavares Brothers Way at the corner of South Main Street and Power Street.

Arthur Paul "Pooch" Tavares, in recognition of the celebration of the Ceremonial Designation of Tavares Brothers Way at the corner of South Main Street and Power Street.

Antone Laurence "Chubby" Tavares, in recognition of the celebration of the Ceremonial Designation of Tavares Brothers Way at the corner of South Main Street and Power Street.

Victor Earl Tavares, in recognition of the celebration of the Ceremonial Designation of Tavares Brothers Way at the corner of South Main Street and Power Street.

Feliciano Vierra "Butch" Tavares, in recognition of the celebration of the Ceremonial Designation of Tavares Brothers Way at the corner of South Main Street and Power Street.

Perry Lee "Tiny" Tavares, in recognition of the celebration of the Ceremonial Designation of Tavares Brothers Way at the corner of South Main Street and Power Street.

Ulisses Correia e Silva, Prime Minister of Cape Verde, in recognition of the City of Providence extending our heartfelt congratulations to His Excellency, Prime Minister Ulisses Correia e Silva of Cape Verde for his exemplary leadership and dedication to his nation. As the proud son of Praia and Brava immigrants, your commitment to progress and prosperity is truly inspiring. May your tenure continue to bring success and unity to Cape Verde.

Angel Whinpenny, Owner, The Patio on Broadway, in recognition of the celebration of your Ribbon Cutting Ceremony on Thursday, July 18, 2024 at 166 Broadway.

Ineida A. Rocha, in recognition of organizing the 49th Cape Verdean Independence Day Festival. Your dedication and hard work have brought our community together in celebration of our rich heritage. Thank you for your outstanding efforts and leadership.

Susan M. Pires, in recognition of organizing the 49th Cape Verdean Independence Day Festival. Your dedication and hard work have brought our community together in celebration of our rich heritage. Thank you for your outstanding efforts and leadership.

Denise Debarros, in recognition of organizing the 49th Cape Verdean Independence Day Festival. Your dedication and hard work have brought our community together in celebration of our rich heritage. Thank you for your outstanding efforts and leadership.

Silas Pinto, in recognition of organizing the 49th Cape Verdean Independence Day Festival. Your dedication and hard work have brought our community together in celebration of our rich heritage. Thank you for your outstanding efforts and leadership.

Elmer Carvalho Pina, in recognition of organizing the 49th Cape Verdean Independence Day Festival. Your dedication and hard work have brought our community together in celebration of our rich heritage. Thank you for your outstanding efforts and leadership.

Ryan Murray, in recognition of organizing the 49th Cape Verdean Independence Day Festival. Your dedication and hard work have brought our community together in celebration of our rich heritage. Thank you for your outstanding efforts and leadership.

Lia Rodrigues, in recognition of organizing the 49th Cape Verdean Independence Day Festival. Your dedication and hard work have brought our community together in celebration of our rich heritage. Thank you for your outstanding efforts and leadership.

Chachi Carvalho, in recognition of organizing the 49th Cape Verdean Independence Day Festival. Your dedication and hard work have brought our community together in celebration of our rich heritage. Thank you for your outstanding efforts and leadership.

Rosy Tavares, in recognition of organizing the 49th Cape Verdean Independence Day Festival. Your dedication and hard work have brought our community together in celebration of our rich heritage. Thank you for your outstanding efforts and leadership.

Police Detective Sergeant Michael Wheeler, Providence Police Department, in recognition of the celebration of your retirement after 35 years of dedicated service to the City of Providence.

Parker Gavigan, Director of Communications, Providence City Council, in recognition of your commitment, hard work and dedication to the City of Providence. We wish you all the best and will miss you greatly!

Kelvin McLeod, in recognition of your promotion to Sergeant in the Armed Forces and for your dedication and service to the Country!



Kaitlynn Santana, in recognition of being crowned Miss Rhode Island USA 2024. Your representation of Puerto Rican pride and excellence from Maunabo, Puerto Rico, inspires our community and celebrates our culture. Congratulations on this remarkable achievement!

Omallys Hopper ("Omi"), Founder of Cookingconomi, in recognition of inspiring all ages to embrace Puerto Rican cooking through your viral videos. Your contributions from Rio Piedras, Puerto Rico, enrich our culinary heritage. Congratulations on your outstanding work!

Fabiola Méndez, in recognition of being a talented Cuatristera from Caguas, Puerto Rico. As a featured artist at the 5th Puerto Rican Bay Fest, you educate and celebrate our culture on a global platform. Congratulations on your exceptional contributions!

Naomi Delgado Pedraza, in recognition of being a finalist for the Transform Rhode Island Scholarship and for your proposal to use artistic expression in therapy. Your creativity and dedication to helping others are commendable. Congratulations on your inspiring achievements!

Marisol Iñesta-Miro, in recognition of congratulating Marisol Iñesta-Miro, our Madrina for the 5th Bay Fest. Born in Mayaguez, Puerto Rico, and a Rhode Islander for over a decade, your efforts in connecting and supporting the Puerto Rican community are invaluable. Congratulations on your incredible contributions!

Firefighter Peter Sword, Car 79, Providence Fire Department, in recognition of the celebration of your retirement on March 16, 2024 after 32 years of dedicated service to the City of Providence.

Battalion Chief Kevin Bross, Providence Fire Department, in recognition of the celebration of your retirement on March 17, 2024 after 32 years of dedicated service to the City of Providence.

Fire Dispatcher Captain Michael Cairone, Providence Fire Department in recognition of the celebration of your retirement on May 3, 2024 after 22 years of dedicated service to the City of Providence.

Battalion Chief Jason Houle, Providence Fire Department, in recognition of the celebration of your retirement on May 21, 2024 after 33 years of dedicated service to the City of Providence.

Fire Training Instructor Theodore Lima, Providence Fire Department, in recognition of the celebration of your retirement on May 30, 2024 after 36 years of dedicated service to the City of Providence.

Zachary Amedee Abbotts, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Steve Altera, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Greg Andrew Archambault, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Antonio Francisco Azevedo, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Scott Robert Brown, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Camron George Charchafliah, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Wendy Jin Clark, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Kevin David Cloxton, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Tyler Edward Crenshaw, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Sean Patrick Crimmins, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Jamaal Malcom Cunningham, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

James Michael Elmer, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Alvaro Costa Ferreira, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Kimberly Ann Foote, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Tyler Douglass Fretts, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Ryan Henry Gendreau, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Ryan Thomas Lavoie, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Anthony Alexander Lopez, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Steven Shaun Lubinger, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Peter Kevin McMichael, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Shamus Flaherty McNamara, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Patrick Eugene Murray, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Andres Mauricio Nunez, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Trevor Donald Olson, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Andrew Nicholas Peck, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Evan George Ramroth, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Joshua James Rocha, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Salvatore David Rossi, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Patrick Chapman Shea, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Richard Allen Silva Jr, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Tyrese Damon Stroud, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Ethan Charles Tanson, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Jason Thomas Tower, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Zachary Robert Tsoumakas, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Ethan John Ventetuolo, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.



Bryan Matthew Wasilewski, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Cristian Jermaine Woods, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Andrew Scott Wright, in recognition of the celebration of your graduation from the Providence Fire Department's 54th Training Academy.

Atilio Donis Sarceno, in recognition of your amazing achievement in becoming a United States Citizens. Congratulations!

Petrona Emy Linares Iteriano, in recognition of your amazing achievement in becoming a United States Citizens. Congratulations!

**COUNCILOR PICHARDO Moves to Waive the Reading of item 25 and Pass on a Voice Vote, Seconded by COUNCILWOMAN HARRIS.**

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Councilor Pichardo
<b>SECONDER:</b>	Councilwoman Harris
<b>AYES:</b>	Council President Miller, Councilor AnderBois, Councilwoman Anthony, Councilmen Espinal, Goncalves, Councilwomen Graves, Harris, Peterson, Councilor Pichardo, Councilwoman Ryan, Councilor Sanchez, Councilwoman Vargas and Councilman Vargas – 13.
<b>ABSENT:</b>	Councilor Roias and Councilman Taylor – 2.

**The Motion for Passage is Sustained.**

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## CONVENTION

There being no further business, on Motion of **COUNCILOR PICHARDO**, Seconded by **COUNCILWOMAN HARRIS**, it is voted to adjourn at 6:14 o'clock P.M., to meet again **THURSDAY, SEPTEMBER 19, 2024 at 6:00 o'clock P.M.**

A handwritten signature in black ink that reads "Tina L. Mastroianni". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

**TINA L. MASTROIANNI**  
**CITY CLERK**

*This meeting was live streamed and the recording is available on our  
YouTube Channel: <https://www.youtube.com/watch?v=Kha5jQ5hgj8>*

The City of Providence is committed to providing individuals with disabilities an equal opportunity to participate and benefit from the City's programs, activities and services. If you have a disability and require accommodations in order to fully participate in this activity, contact Leonela Felix, Esq., Ethics Education and ADA Coordinator at 401-680-5333 or [LFelix@ProvidenceRI.gov](mailto:LFelix@ProvidenceRI.gov). Providing at least 72 hours' notice will help to ensure availability.

