

**CITY OF PROVIDENCE
RHODE ISLAND**



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 4 City Council Regular Council Meeting, Thursday, February 2, 2017, 7:00 o'clock P.M.

PRESIDING

COUNCIL PRESIDENT

LUIS A. APONTE

CALL TO ORDER

**PRESENT: COUNCIL PRESIDENT APONTE, COUNCILWOMAN CASTILLO,
COUNCILWOMAN HARRIS, COUNCILMEN IGLIOZZI, JACKSON,
COUNCILWOMAN MATOS, COUNCILMEN NARDUCCI, PRINCIPE,
COUNCILWOMAN RYAN, COUNCILMEN SALVATORE, YURDIN AND ZURIER
- 12.**

ABSENT: COUNCILMEN CORREIA, HASSETT AND JENNINGS - 3.

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

IN CITY COUNCIL
FEB 16 2017
APPROVED:
Tina L. Mastroianni **CLERK**
ACTING

ROLL CALL

INVOCATION

The Invocation is given by **COUNCILWOMAN JO-ANN RYAN**.

"I ask that we bow our heads and remember that we are in the presence of God. In the name of the Father, Son and Holy Spirit. Heavenly Father, we place ourselves before You, for You are filled with beauty and light. Help us to do what is best for the City of Providence, help us to respect and understand the opinions of others, help us to value and appreciate everyone's thoughts and contributions. May Your light unfold us, may Your spirit guide us, may Your grace inbound in us. I offer this prayer along with the special intentions of others through Christ our Lord. Amen."

PLEDGE OF ALLEGIANCE

COUNCILWOMAN MARY KAY HARRIS Leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF MINUTES

Journal of Proceedings No. 2 of the Regular Meeting of the City Council held January 19, 2017, are approved as printed, on Motion of **COUNCILMAN PRINCIPE**,
Seconded by **COUNCILWOMAN MATOS**.

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

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APPOINTMENTS BY HIS HONOR THE MAYOR

Communication from His Honor the Mayor, dated January 23, 2017, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980 and Sec. 2-354 of the Providence Code of Ordinances, he is this day appointing **Kate Blacklock** of 56 Montague Street, Providence, RI 02906, as a member of the **Art in City Life Commission** for a term to end April 12, 2017. (Ms. Blacklock will replace Yesica Guerra who has resigned.)

Communication from His Honor the Mayor, dated January 24, 2017, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1107 of the Providence Home Rule Charter of 1980, as amended and Public Law, and the bylaws of the Providence Housing Authority, he is this day re-appointing **Gilberta "JT" Taylor** of 7 Wheelan Road, Providence, RI 02909 as a member of the **Providence Housing Authority Board of Directors** for a term to expire January 31, 2022.

Communication from His Honor the Mayor, dated January 26, 2017, 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 Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, and Executive Order 2017-1, he is this day appointing **Muraina Akinfolarin, MD** of 270 Prairie Avenue, Providence, Rhode Island 02905, to the **Muslim-American Advisory Board**, for a term to expire on January 11, 2019.

Communication from His Honor the Mayor, dated January 26, 2017, 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 Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, and Executive Order 2017-1, he is this day appointing **Khaled Almilaji, MD** of 167 Lloyd Avenue, Providence, Rhode Island 02906, to the **Muslim-American Advisory Board**, for a term to expire on January 11, 2019.

Communication from His Honor the Mayor, dated January 26, 2017, 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 Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, and Executive Order 2017-1, he is this day appointing **Gale Aronson** of 530 Blackstone Boulevard, Providence, Rhode Island 02906, to the **Muslim-American Advisory Board**, for a term to expire on January 11, 2019.

Communication from His Honor the Mayor, dated January 26, 2017, 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 Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, and Executive Order 2017-1, he is this day appointing **Dr. Zubeda Jalalzai** of 600 Mount Pleasant Avenue, Providence, Rhode Island 02908, to the **Muslim-American Advisory Board**, for a term to expire on January 11, 2019.

Communication from His Honor the Mayor, dated January 26, 2017, 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 Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, and Executive Order 2017-1, he is this day appointing **Heidi Elizabeth Lane** of 686 Cushing Road, Newport, RI 02841, to the **Muslim-American Advisory Board**, for a term to expire on January 11, 2019.

Communication from His Honor the Mayor, dated January 26, 2017, 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 Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, and Executive Order 2017-1, he is this day appointing **Dr. Ehsun Mirza** of 40 Westfield Drive, East Greenwich, RI 02818, to the **Muslim-American Advisory Board**, for a term to expire on January 11, 2019.

Communication from His Honor the Mayor, dated January 26, 2017, 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 Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, and Executive Order 2017-1, he is this day appointing **Monsurat Ottun** of 52 Pine Street, Pawtucket, RI 02860, to the **Muslim-American Advisory Board**, for a term to expire on January 11, 2019.

Communication from His Honor the Mayor, dated January 26, 2017, 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 Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, and Executive Order 2017-1, he is this day appointing **Anne Walsh** of 33 Rounds Avenue, Providence, RI 02907, to the **Muslim-American Advisory Board**, for a term to expire on January 11, 2019.

Communication from His Honor the Mayor, dated January 26, 2017, 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 Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, and Executive Order 2017-1, he is this day appointing **Marykae Wright** of 165 Wood Street, Bristol, RI 02809, to the **Muslim-American Advisory Board**, for a term to expire on January 11, 2019.

COUNCILMAN PRINCIPE Moves to Dispense with the Reading of the foregoing matters and Receives the Several Communications, Seconded by COUNCILWOMAN MATOS.

RESULT:	RECEIVED
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ELECTION

ELECTION OF SEVEN (7) MEMBERS TO THE JUVENILE HEARING BOARD

COUNCIL PRESIDENT APONTE Calls for Nominations for Seven (7) Members to serve on the Juvenile Hearing Board.

COUNCILMAN PRINCIPE Opens Nominations for Members to serve on the Juvenile Hearing Board, seconded by **COUNCILWOMEN MATOS AND RYAN**.

COUNCILMAN PRINCIPE Nominates Christian Delacruz, Pamela Hughes, Ines Merchan, Erlin R. Rogel, Adam Tobin, Kira Wills and Jeff Angelo, and this Nomination is seconded by **COUNCILWOMEN MATOS AND RYAN**.

COUNCIL PRESIDENT APONTE Calls for further Nominations and there being none, on motion of **COUNCILMAN PRINCIPE**, seconded by **COUNCILWOMEN MATOS AND RYAN**, it is voted that Nominations be closed and the Clerk is directed to Cast One Ballot for **CHRISTIAN DELACRUZ, PAMELA HUGHES, INES MERCHAN, ERLIN R. ROGEL, ADAM TOBIN, KIRA WILLS AND JEFF ANGELO**.

The Clerk Casts One Ballot each as Directed.

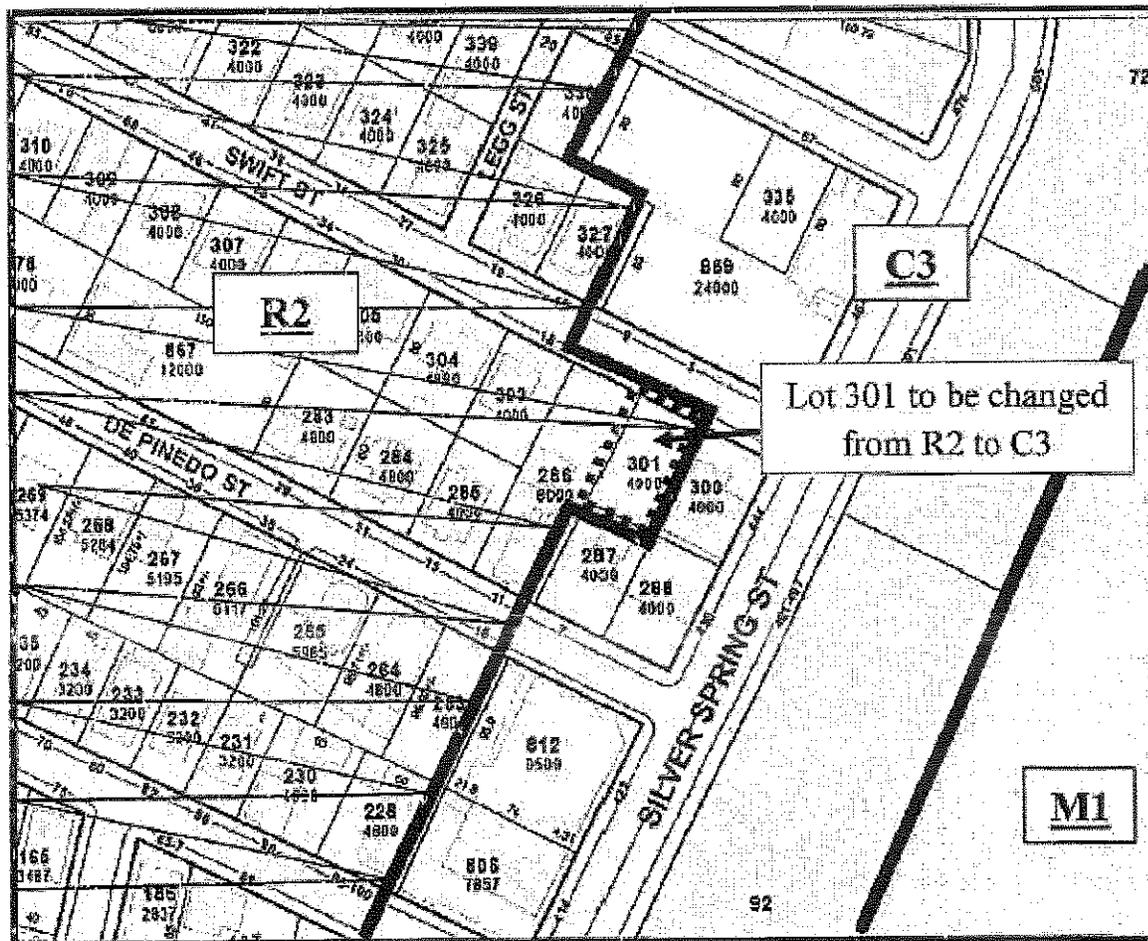
COUNCIL PRESIDENT APONTE, Thereupon declares **CHRISTIAN DELACRUZ, PAMELA HUGHES, INES MERCHAN, ERLIN R. ROGEL, ADAM TOBIN, KIRA WILLS AND JEFF ANGELO**, duly elected members to the Juvenile Hearing Board.

ORDINANCE(S) SECOND READING

The Following Ordinances were in City Council January 19, 2017, Read and Passed the First Time and are Severally Returned for Passage the Second Time:

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 10 Swift Street (Assessor's Plat 77, Lot 301) from R-2 to C-3.

SECTION 1. An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence, Entitled: "The City of Providence Zoning Ordinance", Approved November 24, 2014, As Amended, is hereby further amended by changing the Zoning District on the Official Zoning Map for 10 Swift Street (Assessor's Plat 77, Lot 301), as shown on the accompanying map, from R-2 to C-3.



SECTION 2. This ordinance shall take effect upon passage.

COUNCILWOMAN RYAN

An Ordinance Amending Chapter 14, "Licenses," to add Article XVI, Entitled, "Management and Operations."

SECTION 1. The Code of Ordinances of the City of Providence, Chapter 14, "Licenses," is hereby amended by adding the following article:

Article XVI. Management and Operations.

Sec. 14-311. License Administrator.

There shall exist a License Administrator, appointed by the mayor and who shall serve at the pleasure of the mayor. The License Administrator shall have the status of a department head and shall manage the Office of the Board of Licenses, direct licensing staff in their day-to-day duties, ensure that license application procedures maintain compliance with applicable laws, maintain a record of license violations, schedule pre-hearing conferences, coordinate the operation of the Office of the Board of Licenses with other city departments, fully prepare the Board for all matters which appear on the agenda, consult with the pre-hearing officer, oversee the enforcement of penalties and collection of fines, implement all changes to city ordinances and/or regulations, ensure compliance with the State of Rhode Island's Open Meetings Act, and perform any other duty which may from time to time be delegated to the License Administrator by the Board of Licenses provided, however, that the License Administrator does not become involved in the substantive decision-making of the Board of Licenses.

Sec. 14-312. Pre-Hearing Officer.

There shall exist in the Office of the Board of Licenses a Pre-Hearing Officer who shall report to the License Administrator. The Pre-Hearing Officer shall be responsible for matters that do not require a full hearing before the Board of Licenses and shall schedule a pre-hearing conference prior to a Show Cause Hearing, unless good cause exists or unless it is impractical to schedule a pre-hearing conference prior to the Show Cause Hearing. Nothing in this section shall be construed to prevent the Board of Licenses from acting on such matters brought to a pre-hearing conference or from having final decision-making authority over matters brought to a pre-hearing conference.

Sec. 14-313. Information Technology Specialist.

There shall exist in the Office of the Board of Licenses an Information Technology Specialist who shall report to the License Administrator. The Information Technology Specialist shall oversee and be responsible for all website, database, and public information tasks in the Office of the Board of Licenses, including but not limited to updating and maintaining a user-friendly website for the Board of Licenses.

Sec. 14-314. Record of Licensing Proceedings

All Board of Licenses hearings shall have a full and accurate record of the proceedings, whether by stenographic means or recording. All records of the proceedings shall be accessible to the public either through the Office of the Board of Licenses or online immediately following the conclusion of a hearing. Additionally, a complete, accurate, and up-to-date record of the history of a licensee's violations, fines, penalties, and decisions before the Board of Licenses and Department of Business Regulation shall be available to the Board of Licenses and the public prior to any hearing or meeting in which said licensee appears on the agenda.

Sec. 14-315. Required Training of Board Members and Staff

1. New members of the board. Any new member of the Board of Licenses shall be required to receive professional certified training on all relevant State statutes, City ordinances, and relevant rules and regulations, as well as ethics training and training on the Board of Licenses' Operations and Procedures Manual prior to their first meeting as a member of the board.
2. Mandatory annual training. All members of the Board of Licenses and all paid staff of the Office of the Board of Licenses shall be required to receive annual training in ethics and all relevant policies, procedures, laws, and ordinances.

Sec. 14-316. Annual Report.

It shall be the duty of the Chair of the Board of Licenses to submit an annual report to the Mayor and the City Council no later than January 31st of each calendar year. The annual report shall include, but shall not be limited to:

1. A breakdown of all licenses applications, approvals, transfers, and revocations from the past calendar year.
2. A breakdown of all complaints, violations, fines, and penalties issued in the past calendar year by licensee.
3. A breakdown of all appeals of Board of Licenses decisions, including outcomes.
4. All agendas from Board of Licenses meetings and hearings from the past calendar year.
5. A breakdown of any changes made to the Board of Licenses' Operations and Procedures Manual, with explanations, during the last calendar year.
6. An accounting of all fees and fines collected in the past calendar year, including any outstanding or unpaid fees and fines.
7. Any suggested changes to State statutes or City ordinances the members of the Board feel would improve the operations of the Board of Licenses or the Office of the Board of Licenses.

Additionally, annual reports shall be available to the public online and through the Office of the Board of Licenses.

Sec. 14-317. Decorum and Professional Conduct

All parties, attorneys, witnesses, and other persons at a hearing shall conduct themselves in a manner consistent with the standards of decorum commonly observed in any courtroom. Where such decorum is not observed, the Board Chair may take appropriate action, including ejection or adjournment, if necessary.

Sec. 14-318. Rules of Evidence

The Superior Court rules of evidence for civil cases, as interpreted and employed by the Department of Business Regulation in administrative hearings, shall be followed, and shall be implemented by the Chair of Board of Licenses in consultation with the Legal Counsel to the Board of Licenses, who shall be in attendance at all hearings to provide legal advice and guidance.

SECTION 2. This ordinance shall take effect upon passage.

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

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

The Motion for Passage the Second Time is Sustained.

PRESENTATION OF ORDINANCES

COUNCIL PRESIDENT APONTE, (By Request):

An Ordinance Establishing a Tax Stabilization Agreement for Fountainview Owner, LLC located at 78 Fountain Street.

An Ordinance Establishing a Tax Stabilization Agreement for Weybosset, LLC located at 259 Weybosset Street.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT APONTE, (By Request):

Resolution Designating the City of Providence as a PACE Municipality and approving the C-PACE Agreement.

COUNCILMAN PRINCIPE Moves to Dispense with the Reading of the foregoing matters, Seconded by COUNCILWOMAN MATOS.

COUNCIL PRESIDENT APONTE Refers the Several Ordinances and Resolution to the Committee on Finance.

RESULT:	REFERRED
TO:	Committee on Finance

COUNCIL PRESIDENT APONTE

Resolution Authorizing the Engagement of a firm to conduct Legislative Advocacy
During the 2017 Legislative Session

COUNCIL PRESIDENT APONTE Refers the Resolution to the Committee on Finance.

RESULT:	REFERRED
TO:	Committee on Finance

COUNCILMAN CORREIA

Resolution Requesting the Director of Public Works to cause the Clean and Lien of the vacant lot located on Amherst Street and Erastus Street.

RESOLVED, That the Director of Public Works is requested to cause the Clean and Lien of the vacant lot located on Amherst Street and Erastus Street.

Resolution Requesting the Director of Public Works to cause the Clean and Lien of the vacant lot located on Manton Avenue and Salmon Street.

RESOLVED, That the Director of Public Works is requested to cause the Clean and Lien of the vacant lot located on Manton Avenue and Salmon Street.

Resolution Requesting the Director of Public Works to cause the Clean and Lien of the vacant lot located on Atwells Avenue and Lynch Street.

RESOLVED, That the Director of Public Works is requested to cause the Clean and Lien of the vacant lot located on Atwells Avenue and Lynch Street.

Resolution Requesting the Director of Public Works to cause the Clean and Lien of the vacant lot located on Carleton Street and Armington Avenue.

RESOLVED, That the Director of Public Works is requested to cause the Clean and Lien of the vacant lot located on Carleton Street and Armington Avenue.

Resolution Requesting the Director of Operations, Committee on City Property and Committee on Public Works to meet regarding the condition of the Department of Public Works Facility and its various buildings.

RESOLVED, That the Director of Operations, Committee on City Property and Committee on Public Works is requested to meet regarding the condition of the Department of Public Works Facility and its various buildings.

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

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

The Motion for Passage is Sustained.

COUNCILMAN NARDUCCI

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

COUNCIL PRESIDENT APONTE Refers the Resolution to the Committee on City Property.

RESULT:	REFERRED
TO:	Committee on City Property

COUNCILWOMEN RYAN, CASTILLO, HARRIS, COUNCILMEN IGLIOZZI, JACKSON, NARDUCCI, PRINCIPE, SALVATORE, YURDIN AND ZURIER

Resolution Requesting a report on the Regulatory Structure of Providence Water and Urging the General Assembly to Enact Legislation Restricting the resale of Publicly Provided Portable Water by Municipalities.

WHEREAS, Water is a precious and limited resource that is necessary for sustaining human life, not simply a utility of commodity; and

WHEREAS, The City of Providence’s history is intimately linked to the local water supply, as Roger Williams decided to settle on the east bank of the Providence River because a natural spring was located nearby; and

WHEREAS, Recent events have brought attention to issues surrounding the regulation and sale of water as a public utility; and

WHEREAS, Providence Water is a division of the City of Providence, created in 1915 by an act of the General Assembly, that provides water to approximately two-thirds of Rhode Islanders; and

WHEREAS, Providence Water provides water to nine wholesalers, including institutions, such as Bristol Water, Lincoln Water, and the Kent County Water Authority, and municipalities, such as the City of Warwick and the Town of Johnston; and

WHEREAS, Providence Water is heavily regulated, with its revenue regulated by the Public Utilities Commission (PUC), its discharge regulated by the Department of Environmental Management (DEM), and its drinking water regulated by the Department of Health (DOH) and the federal Environmental Protection Agency (EPA); and

WHEREAS, This complex regulatory framework places limits on how Providence Water operates and how much revenue it can receive from the sale of water; and

WHEREAS, While Providence Water is heavily regulated, many of the wholesalers it provides water to, including the Town of Johnston, are unregulated, allowing them to resell water provided by Providence Water at a much higher price than Providence is permitted to charge; and

WHEREAS, On January 10, 2017, the Town of Johnston approved a 20-year contract selling water to a private company that is seeking to open a power plant in Burrillville; and

WHEREAS, By State statute, the amount of water the Town of Johnston is allowed to purchase from Providence Water is based on the number of people living in the town yet, under this agreement, this water will not be used by Johnston residents, but by a private company not even located in Johnston; and

WHEREAS, Such a use seemingly runs contrary to both the intent of the State statute and the goal of establishing safe, clean, potable water for the residents and families of Rhode Island; and

WHEREAS, On January 25, 2017, representatives of Providence Water and the City Solicitor explained to the Special Committee on Municipal Operations and Oversight that agreements such as the one recently approved by Johnston were unforeseen when Providence Water was established more than a century ago and, absent a change in State law, neither Providence Water nor the City of Providence, by all indications, have authority to prevent or modify any such sales.

NOW, THEREFORE BE IT RESOLVED, That the City Council of the City of Providence recognizes that water is a scarce and precious resource vital to sustaining life.

BE IT FURTHER RESOLVED, That the City Council of the City of Providence does hereby request that the Chairman and General Manager of the Providence Water Supply Board provide the City Council with a report reviewing and explaining, with specificity, the regulatory structure and operations of the Water Supply Board.

BE IT FURTHER RESOLVED, That the City Council of the City of Providence does hereby urge the Rhode Island General Assembly to enact legislation restricting the resale of excess publicly provided potable water by municipalities.

BE IT FURTHER RESOLVED, That, upon passage, copies of this resolution be sent to the General Manager and the Chairman of the Providence Water Supply Board, to the Speaker of the House of Representatives, the President of the Senate, and the entire Providence delegation to the General Assembly.

Read and Passed, on Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILWOMAN RYAN.

RESULT:	READ AND PASSED [11 TO 0]
MOVER:	Councilman Principe
SECONDER:	Councilwoman Ryan
AYES:	Council President Aponte, Councilwomen Castillo, Harris, Councilmen Iglizzi, Jackson, Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 11.
ABSTAIN:	Councilwoman Matos – 1.
ABSENT:	Councilmen Correia, Hassett and Jennings – 3.

The Motion for Passage is Sustained.

COUNCILMEN SALVATORE, IGLIOZZI, NARDUCCI, COUNCILWOMAN RYAN, COUNCILMEN YURDIN AND ZURIER

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2017 H-5155, An Act Relating to Criminal Offenses - Weapons.

COUNCILMAN SALVATORE, COUNCILMAN ZURIER

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2017 H-5177, An Act Relating to Education.

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2017 H-5212, An Act Relating to Motor and other Vehicles - Passing, Use of Lanes, and Rules of the Road.

Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2017 S-0022, An Act Relating to Education - Health and Safety of Pupils.

COUNCILMAN PRINCIPE Moves to Dispense with the Reading of the foregoing matters, Seconded by COUNCILWOMAN MATOS.

COUNCIL PRESIDENT APONTE Refers the Several Resolutions to the Special Committee on State Legislative Affairs.

RESULT:	REFERRED
TO:	Special Committee on State Legislative Affairs

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

Resolution Urging the General Assembly to Reinstate the No Fare Bus Program.

WHEREAS, For the last 40 years, the Rhode Island Public Transit Authority (RIPTA) has provided free bus rides to our state's low-income, elderly, and disabled residents; and

WHEREAS, An estimated 13,000 Rhode Islanders utilize the RIPTA free bus program; and

WHEREAS, Many of these individuals lack other means of transportation and many have mobility issues as well, leaving them dependent upon public transportation to get where they need to go, whether it be to their jobs, doctors' appointments, or when simply running errands; and

WHEREAS, In 2016, the State budget eliminated the free bus program for low-income, elderly, and disabled residents, instituting a reduced fare system instead; and

WHEREAS, The fare increase on this vulnerable population came into effect on February 1st, 2017; and

WHEREAS, It is estimated that this fare increase will cost Rhode Island's low-income, elderly, and disabled residents nearly \$1.5 million each year; and

WHEREAS, Many of the residents who utilize the no fare program are on fixed incomes, meaning that any increase in their expenses will force them to reduce their spending on other necessities such as food, medicine, and housing; and

WHEREAS, The elected officials of Rhode Island have a responsibility to protect and promote the well-being of our state's most vulnerable residents; and

WHEREAS, While it is important to recognize the fiscal pressures on the State and RIPTA, it is morally reprehensible to balance the budget on the backs of residents who are already struggling to make ends meet; and

WHEREAS, Reinstating the no fare bus program for low-income, elderly, and disabled residents would send a strong message about Rhode Island's commitment building a just, fair, and equitable society where everyone has the opportunity to succeed.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence does hereby urge the General Assembly reinstate the no fare bus program for low-income, elderly, and disabled residents.

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

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

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

The Motion for Passage is Sustained.

PERSONAL EXPRESSION

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

"Most of you know Theresa from the City Council Office. I don't know if you know about her situation or not, but her husband is pretty sick. He has stage four cancer. They don't know anything right now. It's a day-to-day basis right now. She has had to take a lot of time out of work to spend with her husband on what I hate to say his last few days. So, please keep Theresa, her husband and her family in our prayers at this time. Thank you."

COUNCILWOMAN RYAN Requests the privilege of the floor to speak on a Point of Personal Expression and states:

"I would like to take a moment to recognize the passing of a Former Providence Councilman, Robert Salvatore who passed away on January 28th. For those of you who didn't know him, he served on the Council during the mid 70's and he served this body for eight years. Robert Salvatore is no relationship to the current Councilman Salvatore who represents a similar area. He represented the Wanskuck Neighborhood. Bobby was a wonderful man, he volunteered for work at Saint Edwards Church, he was a member of the Finance Committee and actually helped stabilize the church and school in his efforts. He was a club leader, boy scout leader, little league coach and sponsor, he was a member of the constitutional convention, a delegate. He was a long time poll warden, he was a loving husband and father and a dedicated grandfather. He was a tireless advocate for all of his community and committed truly to public service. On a personal note, he was a dear friend to the Ryan family. He will be greatly missed. He was a very special man because my husband who grew up in that neighborhood actually lost his dad when he was quite young, and Bobby being the true gentleman that he was and wonderful community man, made sure that my husband got to go to Jake Ricci's Arena, many a little league game, many a hockey game, many a baseball game. He was truly a man who loved his community and served his community and was a great public servant. So, tonight let's remember a fallen colleague, Councilman Robert Salvatore, for his years of selfless service to our community. Thank you."

COUNCILMAN SALVATORE

Resolution Requesting the Director of Public Works to cause the installation of a Garbage Receptacle and a "No Littering" Sign at the Corner of Eaton Street and Enfield Avenue.

COUNCIL PRESIDENT APONTE Refers the Resolution to the Committee on Public Works.

RESULT:	REFERRED
TO:	Committee on Public Works

**COUNCILMAN ZURIER, COUNCILWOMEN CASTILLO, HARRIS,
COUNCILMEN IGLIOZZI, JACKSON, NARDUCCI, PRINCIPE,
COUNCILWOMAN RYAN, COUNCILMEN SALVATORE AND YURDIN**

Resolution Concerning the Purchase and Resale of Providence Water by Municipal Water Supplies.

WHEREAS, Providence Water sells water in bulk (at “wholesale” rates) to some customers at a discount from those rates charged to direct “retail” consumers; and

WHEREAS, The “wholesale” rates charged by Providence Water are set by the Public Utilities Commission for the benefit of ratepayers; and

WHEREAS, Providence Water, and other water utilities, currently sell water to municipal water supplies at “wholesale” rates for resale to their direct customers; and

WHEREAS, The resale price(s) charged by at least some of these municipal water supplies are not regulated by the Public Utilities Commission; and

WHEREAS, These municipal water supplies derive their authority to purchase and sell water pursuant to State enabling legislation; and

WHEREAS, At the time it was enacted, the State enabling legislation probably contemplated that municipal water supplies would purchase water at “wholesale” rates to serve users within the municipality (to whom they are accountable), but did not specify this within the legislation; and

WHEREAS, The current absence of State regulation creates a loophole through which municipal water supplies can purchase water at a State-regulated “wholesale” rate and sell it outside the municipality at an unregulated rate.

NOW, THEREFORE, BE IT RESOLVED, That the Providence City Council supports the introduction and passage of State legislation that requires municipal water supplies that purchase water from Providence Water or other water utilities at “wholesale” rates to limit resale of that water to customers located within the municipality. Attached as Exhibit A is a proposed sample bill that is designed to accomplish the goals identified in this resolution.

Read and Passed, on Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILWOMAN RYAN.

RESULT:	READ AND PASSED [11 TO 0]
MOVER:	Councilman Principe
SECONDER:	Councilwoman Ryan
AYES:	Council President Aponte, Councilwomen Castillo, Harris, Councilmen Igliazzi, Jackson, Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 11.
ABSTAIN:	Councilwoman Matos – 1.
ABSENT:	Councilmen Correia, Hassett and Jennings – 3.

The Motion for Passage is Sustained.

REPORT(S) FROM COMMITTEE(S)

**COMMITTEE ON ORDINANCES
COUNCILMAN TERRENCE M. HASSETT, Chairman**

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

COUNCILMAN YURDIN, COUNCILWOMAN RYAN

An Ordinance Amending the Code of Ordinances to Add Section 11-1.1, Entitled: "Harbor Moorings and Anchorages."

Read and Passed the First Time, on Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILWOMAN RYAN, by the following Roll Call Vote:

RESULT:	READ/PASSED FOR THE FIRST TIME [11 TO 0]
MOVER:	Councilman Principe
SECONDER:	Councilwoman Ryan
AYES:	Council President Aponte, Councilwomen Castillo, Harris, Councilman Jackson, Councilwoman Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 11.
ABSTAIN:	Councilman Iglizzi – 1.
ABSENT:	Councilmen Correia, Hassett and Jennings – 3.

The Motion for Passage the First Time is Sustained.

**SPECIAL COMMITTEE ON MUNICIPAL
OPERATIONS AND OVERSIGHT
COUNCILWOMAN JO-ANN RYAN, Chairwoman**

Transmits the Following with Recommendation the Same be Approved:

**COUNCILMAN YURDIN, COUNCILWOMEN CASTILLO, HARRIS AND
RYAN**

Resolution in Opposition to the Invenergy Power Plant and expressing concern over the proposed use of Providence Water.

WHEREAS, On October 29, 2015 Invenergy Thermal Development LLC filed an application to Construct the Clear River Energy Center Power Plant (CREC) in Burrillville, RI with the Rhode Island Energy Facility Siting Board (EFSB); and

WHEREAS, In the months since the filing of that application, the Town of Burrillville has conducted extensive study of the application with and through credentialed professionals, including studies of noise, water, traffic and air quality, among others; and

WHEREAS, After considering expert testimony and conducting thorough public hearing the Burrillville Planning Board and Zoning Board of Review have advised the EFSB that Burrillville, RI is not a suitable site for the Clear River Energy Center; and

WHEREAS, The Burrillville Building Inspector and Burrillville Tax Assessor, have also submitted advisory opinions to the EFSB expressing the impact the proposed Clear River Energy Center would have on the Town of Burrillville; and

WHEREAS, Sixteen cities and towns in Rhode Island have passed resolutions opposing the siting of an Invenergy power plant in the Town of Burrillville; and

WHEREAS, According to the Blackstone River Watershed Council, “emissions from the power plant, in particular methane and carbon dioxide, would affect a 30-mile area in the northwest corner of Rhode Island”; and

WHEREAS, Particulate matter would “diminish air quality, local rivers and watersheds would be stressed, additional deliveries of chemicals by large commercial vehicles would put residents at risk, noise pollution would increase and the biodiversity impacts and loss of wildlife habitats within the shared watershed would harm the regional environment,” according to Burrillville Conservation Chairman, Kevin Cleary; and

WHEREAS, The CREC power plant in Burrillville would prevent Rhode Island from meeting the reduction in greenhouse gas emissions set by the 2014 Resilient Rhode Island Act; and

WHEREAS, Invenergy’s efforts to obtain the water needed for the power plant met resistance and opposition for many months, with the Pascoag Utility District, the Harrisville Fire District, and the City of Woonsocket rejecting proposals to provide water for the power plant; and

WHEREAS, On January 10th, the Town of Johnston approved a 20-year deal selling Invenergy water for the CREC power plant; and

WHEREAS, The Providence Water Supply Board (PWSB) is the wholesale supplier of water to the Town of Johnston which will be resold to Invenergy; and

WHEREAS, The agreement between the Town of Johnston and Invenergy obligates resources owned by the people of Providence without them having a choice or say in the matter; and

WHEREAS, During the past year, many citizens of the Rhode Island, as well as our neighboring communities in Massachusetts and Connecticut, have expressed strong opposition to the siting of the Clear River Energy Center for reasons including the negative impacts on property, environment, traffic, public health, public safety, and water; and

WHEREAS, The Providence City Council joins with the citizens and officials of the Town of Burrillville as well as residents throughout the State of Rhode expressing concerns and objections to the siting of the Clear River Energy Center in Burrillville, RI.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence does hereby oppose the siting of the Clear River Energy Center in Burrillville, RI.

BE IT FURTHER RESOLVED, That, as the democratically elected representatives of the people of Providence, the City Council does not support and hereby expresses serious concern over the use of water from the Providence Water Supply Board for the Clear River Energy Center.

BE IT FURTHER RESOLVED, That the City Council of the City of Providence does hereby request that

1. The City Solicitor provide the City Council with information and clarification regarding the City's and the Providence Water Supply Board's ability to prevent the use of Providence water at the CREC power plant and legality of the resale and markup of Providence water by Providence Water Supply Board wholesale customers;
2. The Chairman and the General Manager of the Providence Water Supply Board assist the Solicitor with the above request, and provide the City Council with information regarding the impact of said use on ratepayers, as well as PWSB finances and operations.

BE IT FURTHER RESOLVED, That, upon passage, this resolution be submitted to the Rhode Island Energy Facility Siting Board for consideration during their hearings on Invenergy Thermal Development LLC's application to construct the Clear River Energy Center power plant in Burrillville, RI.

Read and Passed, on Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILWOMAN RYAN.

RESULT:	READ AND PASSED [9 TO 0]
MOVER:	Councilman Principe
SECONDER:	Councilwoman Ryan
AYES:	Councilwomen Castillo, Harris, Councilmen Igliazzi, Jackson, Narducci, Principe, Councilwoman Ryan, Councilmen Yurdin and Zurier – 9.
ABSTAIN:	Council President Aponte and Councilwoman Matos – 2.
ABSENT:	Councilmen Correia, Hassett and Jennings – 3.
RECUSED:	Councilman Salvatore – 1.

The Motion for Passage is Sustained.

FROM THE CLERK'S DESK

Petitions for Compensation for Injures and Damages, viz:

Fritz Barionnette
Kaii Almeida-Falcones
Patricia Whitman
Wilber & Associates a/s/o Arbella
Insurance/Sue Matheus
Paige Munro-Delotto Ph.D., Esquire
John J. Reder
(Robert J. Levine, Esquire)

Steven Sjogren
Ellie Alba-Rodriguez
(Christopher E. Fay, Esquire)
Ericka Hernandez
Catherine E. Conaty
Margie Santos
Karen A. Keevers
Sebastian Terrazas Ortiz

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

RESULT:	REFERRED
TO:	Committee on Claims and Pending Suits

COMMUNICATIONS AND REPORTS

Communication from Natale D. Urso, PE, PTOE, Traffic Engineer, dated January 13, 2017, submitting the Northwest Bike Trail/Woonasquatucket River Bikeway Contract 1 and Replacement of Pleasant Valley Parkway Bridge 777 - Construction and Maintenance Agreement Amendment One.

COUNCIL PRESIDENT APONTE Refers the Communication to the Committee on Public Works.

RESULT:	REFERRED
TO:	Committee on Public Works

Communication from Jason D. Martin, Preservation Planner/PHDC Staff, Department of Planning and Development, dated January 5, 2017, submitting the Providence Historic District Commission's Certified Local Government Annual Report for 2015-2016.

COUNCIL PRESIDENT APONTE Receives the foregoing Communication.

RESULT: RECEIVED

Communication from Michael D. Borg, Director, Department of Public Works, dated January 27, 2017, submitting the report in response to Resolution No. 379, Effective October 17, 2016, relative to The Do Not Block The Block Initiative.

COUNCIL PRESIDENT APONTE Receives the foregoing Communication.

RESULT: RECEIVED

Report of the Board of Park Commissioners relative to receipt of certain gifts of moneys for the preservation and care of special burial lots in the North Burial Ground.

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

RESULT: READ AND PASSED [UNANIMOUS]
MOVER: Councilman Principe
SECONDER: Councilwoman Ryan
AYES: Council President Aponte, Councilwoman Harris, Councilmen Igliozi, Jackson, Councilwoman Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 11.
ABSENT: Councilwoman Castillo, Councilmen Correia, Hassett and Jennings – 4.

The Motion for Passage is Sustained.

**PRESENTATION OF RESOLUTIONS
"IN CONGRATULATIONS"**

COUNCIL PRESIDENT APONTE 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:

Honk Heng Eric Keo, Providence Career and Technical Academy, in recognition of being the recipient of the Love Visual Artist Award at the 2nd Annual Inspiration of Love Youth Artist and Leadership Awards.

Andres Escobar, Classical High School, in recognition of being the recipient of the Peace Theatre Award at the 2nd Annual Inspiration of Love Youth Artist and Leadership Awards.

Melissa Ray, Jacqueline M. Walsh School for the Performing & Visual Arts, in recognition of being the recipient of the Unity Dance Award at the 2nd Annual Inspiration of Love Youth Artist and Leadership Awards.

Mariah-Angelica McCreadie, Providence Career and Technical Academy, in recognition of being the recipient of Inspiration of Love Leadership Award at the 2nd Annual Inspiration of Love Youth Artist and Leadership Awards.

Shara T. Braxton, Dr. Jorge Alvarez High School, in recognition of being the recipient of the Awareness Musical Award at the 2nd Annual Inspiration of Love Youth Artist and Leadership Awards.

Angelina Jorge, Johnson & Wales University, in recognition of her dedication and outstanding accomplishments earning a Bachelor's Degree in Food Service Management and minoring in Health and Sustainability and Ecotourism.

Javellys Polanco, University of Pennsylvania, in recognition of her dedication and outstanding accomplishments majoring in Criminology and minoring in Legal Studies & History.

Javielka Polanco, University of Rhode Island, in recognition of her dedication and outstanding accomplishments majoring in Psychology.

Rochelle Jiménez, University of Rhode Island, in recognition of her dedication and outstanding accomplishments studying for a Bachelor of Science in Business Administration with a concentration in Accounting and a Bachelor of Arts Degree.

Luzelly Frias, Boston College, in recognition of her dedication and outstanding accomplishments earning her Masters in Social Work and becoming a Licensed Certified Social Worker (LCSW).

Tomas Ignacio Pérez Inirio, P.E., University of Rhode Island, in recognition of his dedication and outstanding accomplishments studying for a Bachelor of Science in Civil Engineering and a Master of Science in Structural Engineering.

Rob DeBlois, Urban Collaborative Accelerated Program (UCAP), in recognition of being the recipient of the 2017 Martin Luther King Jr. Hall of Fame Award.

Jim Vincent, President, NAACP, in recognition of being the recipient of the 2017 Martin Luther King Jr. Hall of Fame Award.

Mauraina "Morris" Akinfalorin, Oasis International, in recognition of being the recipient of the 2017 Martin Luther King Jr. Hall of Fame Award.

Acontecer Latino, in recognition of the celebration of their First Year Anniversary on February 16, 2017.

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

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilwoman Ryan
AYES:	Council President Aponte, Councilwoman Harris, Councilmen Iglizzi, Jackson, Councilwoman Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 11.
ABSENT:	Councilwoman Castillo, Councilmen Correia, Hassett and Jennings – 4.

The Motion for Passage is Sustained.

**PRESENTATION OF RESOLUTIONS
"IN MEMORIAM"**

COUNCIL PRESIDENT APONTE AND MEMBERS OF THE CITY COUNCIL

Resolution Extending Sympathy.

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

Rose M. Mendonca

Ricelis Peralta

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

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilwoman Ryan
AYES:	Council President Aponte, Councilwoman Harris, Councilmen Iglizzi, Jackson, Councilwoman Matos, Councilmen Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 11.
ABSENT:	Councilwoman Castillo, Councilmen Correia, Hassett and Jennings – 4.

The Motion for Passage is Sustained.

**MATTERS NOT APPEARING
ON THE PRINTED DOCKET**

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

PRESENTATION OF ORDINANCES

COUNCIL PRESIDENT APONTE, (By Request):

An Ordinance Establishing a Tax Stabilization Agreement for Vision Development, Inc., located at 169 Canal Street and 100 North Main Street.

COUNCIL PRESIDENT APONTE Refers the Ordinance to the Committee on Finance.

RESULT:	REFERRED
TO:	Committee on Finance

COUNCILMAN IGLIOZZI

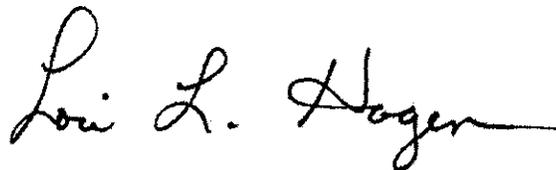
An Ordinance in Amendment of Chapter 2016-22, No. 264, Approved June 20, 2016 of the Ordinances of the City of Providence, making an Appropriation of Six Hundred Ninety Six Million, One Hundred Nine Thousand, Eight Hundred Ninety Seven Dollars and No Cents (\$696,109,897.00), for the Fiscal Year Ending June 30, 2016, As Amended.

COUNCIL PRESIDENT APONTE Refers the Ordinance to the Committee on Finance.

RESULT:	REFERRED
TO:	Committee on Finance

CONVENTION

There being no further business, on Motion of **COUNCILMAN PRINCIPE**, Seconded by **COUNCILWOMAN RYAN**, it is voted to adjourn in memory of Councilman Robert Salvatore at 7:58 o'clock P.M., to meet again **THURSDAY, FEBRUARY 16, 2017 at 7:00 o'clock P.M.**

A handwritten signature in cursive script that reads "Lori L. Hagen". The signature is written in black ink and is centered on the page.

**LORI L. HAGEN
CITY CLERK**