

CITY OF PROVIDENCE  
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 53 City Council Regular Meeting, Thursday, November 15, 1984, 8:00 P.M. (E.S.T.)

IN CITY COUNCIL

DEC 6 1984

APPROVED:

PRESIDING *Rose M. Mendonça* CLERK

ACTING COUNCIL PRESIDENT

LOUIS R. STRAVATO

ROLL CALL

Present: Acting Council President Stravato, Councilman Annaldo, Councilwoman Brassil, Councilman Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fagnoli, Councilmen Glavin, Griffin, Lombardi, O'Connor, and Petrosinelli-12.

Absent: Councilmen Cola, Farmer and Pitts-3.

## INVOCATION

The Invocation is given by COUNCILMAN DAVID G. DILLON.

## PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

COUNCILMAN THOMAS M. GLAVIN  
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 RECORD

The Journal of Proceedings No. 52 of the  
Regular Meeting of the City Council held  
November 1, 1984, and Posted November  
13, 1984, on that Bulletin Board located on  
the Ground Floor Level of City Hall, is  
Approved as Printed, on motion of COUN-  
CILMAN GLAVIN, seconded by COUN-  
CILMAN DILLON.

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## CERTIFICATE OF ELECTION, OATH OF OFFICE AND APPOINTMENT AS POLICE CONSTABLE JOHN J. LOMBARDI

The First Deputy City Clerk reads the Certificate from the Board of Canvassers and Registration attested to on the 13th day of November, 1984, that John J. Lombardi, has been by the Electors of the City of Providence, Rhode Island, duly elected as Councilman, to hold his said office for the remainder of the term ending on the First Monday in January, A.D., 1987, and until his successor is elected and qualified to act; the Solemn Oath having been administered by the

Honorable Anthony B. Sciarretta, Judge of the Probate Court and having been sworn in as a Police Constable by Raymond Dettore, Jr., Chairman of the Bureau of Licenses on November 15, 1984.

Received.

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## SCHEDULE OF BILLS

### FROM CITY CONTROLLER:

Street Lighting Bill from the Narragansett Electric Company for October, 1984, in the amount of One Hundred Sixteen Thousand, Eight Hundred Eighty-Three Dollars and Seven Cents (\$116,883.07).

Approved, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON, by the following Roll call Vote:

Ayes: Acting Council President Stravato, Councilman Annaldo, Councilwoman Brassil, Councilman Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fagnoli, Councilmen Glavin, Lombardi, O'Connor and Petrosinelli—11.

Absent: Councilmen Cola, Farmer, Griffin and Pitts—4.

The motion to Approve is Sustained.

## ORDINANCES SECOND READING

**The following Ordinances were in City Council November 1, 1984, Read and Passed the First Time and Are Returned for Passage the Second Time:**

An Ordinance in Amendment of and in Addition to Sec. 14-1 of the Code of Ordinances of the City of Providence entitled: "Closing Hours: License Fees, Regulations for Commercial Establishments," as Amended.

*Be it ordained by the City of Providence:*

*Section 1.* Sec. 14-1 of the Code of Ordinances of the City of Providence entitled: "Closing hours; license fees, regulations for commercial establishments" is hereby amended by adding the following:

(g) Building and Safety Codes:

The Board of Licenses shall not issue, nor approve the transfer to any person or location of, nor approve the renewal of any license unless and until such applicant for license, relocation or renewal first obtains and delivers to the Board of Licenses written statements from the Department of Inspection and Standards and the Providence Fire Department. Such statement shall indicate that the premises at which the license is to be held is in conformity with all requirements of the municipal building and fire codes.

Any license issued without such written statement shall be null and void.

Violations of this Ordinance shall be subject to the penalties as provided under Sec. 1-10 (a) of the Code of Ordinances.

*Sec. 2.* This Ordinance shall take effect upon its Passage.

An Ordinance Limiting the Number of Garage or Yard Sales to any One Resident to Two Per Calendar Year, as Amended.

It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances of the City of Providence, Rhode Island, and that the sections of this Ordinance may be renumbered to accomplish such intention.

*Be it ordained by the City of Providence:*

*Section 1.* The owner and/or tenant of any zoned residential (R-1 through R-5 inclusive) property within the City of Providence shall not conduct nor allow to be conducted any sale of the type commonly referred to as "yard sale", "garage sale", or any similar type sale at that dwelling or property unless prior thereto a license to be known as a "Yard Sale License" for the same is obtained from the Board of Licenses.

"Yard sale", "garage sale" or any "similar type sale" when used in this section shall mean the display for sale of more than one (1) item commonly found in or about a residential dwelling or other property in a manner so as to attract the general public.

Such license, the fee for which shall be Five Dollars (\$5.00), shall be issued to the owner or tenant of such dwelling or property not more than a total of two (2) times within any one (1) year period and no license shall be valid for a period of more than two (2) consecutive days.

Each license issued pursuant to this Ordinance shall be prominently displayed on the premises upon which such sale is conducted throughout the entire period of the licensed sale.

Any violation of this Ordinance shall be punishable by those penalties enumerated in Section 1-10 of the Code of Ordinances.

Sec. 2. This Ordinance shall take effect upon its Passage.

An Ordinance in Amendment of Chapter 1984-55, Approved July 20, 1984, entitled: "An Ordinance Establishing a Compensation Plan for the City of Providence," relative to City Registrar of Vital Statistics.

Be it ordained by the City of Providence:

Section 1. Chapter 1984-55 of the Ordinances of the City of Providence, as approved July 20, 1984, is hereby amended to read as follows:

<i>Position</i>	<i>From</i>	<i>To</i>
City Registrar of Vital Statistics	\$23,540.00	\$25,000.00

Sec. 2. This Ordinance shall take effect upon its Passage.

An Ordinance in Amendment of Chapter 1984-55, approved July 20, 1984, entitled: "An Ordinance Establishing a Compensation Plan for the City of Providence," Relative to Providence Municipal Court.

Be it ordained by the City of Providence:

Section 1. Chapter 1984-55, of the Ordinances of the City of Providence, approved July 20, 1984, is hereby amended to read as follows:

<i>Position</i>	<i>From</i>	<i>To</i>
Judge, Providence Municipal Court	\$13,851.76 yr.	\$14,500.00 yr.

Sec. 2. This Ordinance shall take effect retroactively to July 1, 1984.

Severally Read and Collectively Passed the Second Time, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON, by the following Roll Call Vote:

Approved, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON, by the following Roll call Vote:

Ayes: Acting Council President Stravato, Councilman Annaldo, Councilwoman Brassil, Councilman Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fagnoli, Councilmen Glavin, Lombardi, O'Connor and Petrosinelli—11.

Absent: Councilmen Cola, Farmer, Griffin and Pitts—4.

COUNCILMAN EASTON desires to be recorded as Voting "No" relative to the following:

"An Ordinance Limiting the Number of Garage or Yard Sales to any One Resident to Two Per Calendar Year, as Amended."

Recapitulation of Vote:

Ayes: 10

Noes: 1

Absent: 4

The motion for Passage the Second Time is Sustained.

## PRESENTATION OF RESOLUTIONS

### ACTING COUNCIL PRESIDENT STRAVATO:

Resolution requesting the Water Supply Board to study, review and report as to the feasibility of charging a fixed rate for Commercial property and residential, over six units, as opposed to water consumption.

*Resolved*, That the Chief Engineer of the Water Supply Board is requested to implement a study, review and report as to the feasibility of charging a fixed rate for commercial property and residential, over six units, as opposed to water consumption.

### ACTING COUNCIL PRESIDENT STRAVATO and COUNCILMAN DILLON:

Resolution requesting the Director of Public Works, the Department of Planning and Urban Development and the Law Department to cause the property line at the western shore of Mashapaug Pond, from Owens Little League Field to the Amtrak Main Line, adjacent to the Huntington Expressway, to be defined.

*Resolved*, That the Director of Public Works, the Department of Planning and Urban Development and the Law Department are requested to cause the property line at the western shore of Mashapaug Pond, from Owens Little League Field to the Amtrak Main Line, adjacent to the Huntington Expressway, to be defined.

### COUNCILWOMAN BRASSIL (By Request):

Resolution requesting the Chief Electrical

Inspector to order the installation of a street light on that Pole located along 71 East George Street.

*Resolved*, That the Chief Electrical Inspector is requested to order the installation of a street light on that Pole located along 71 East George Street.

**Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.**

**The motion for Passage is Sustained.**

Resolution requesting the City Forester to cause that tree located in front of 205 Ives Street, to be Removed.

**Referred to Committee on Public Works, on motion of COUNCILWOMAN BRASSIL, seconded by COUNCILMEN GLAVIN and DILLON.**

**The motion to Refer is Sustained.**

Resolution requesting the School Department to cause the installation of lights in front of the entrances of Fox Point Elementary School.

*Resolved*, That the School Department is requested to cause the installation of lights in front of the entrances of Fox Point Elementary School.

**Read and Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.**

**The motion for Passage is Sustained.**

Resolution ratifying Collective Bargaining Agreement between the City of Providence and Local 799, International Association of Firefighters, AFL-CIO, beginning July 1, 1984 and ending June 30, 1985.

**COUNCILWOMAN DIRUZZO (By Request):**

Resolution changing the name of Tippecanoe Street to Gennaro Place.

*Resolved,* That the accompanying copy of Collective Bargaining Agreement, for the term beginning July 1, 1984 and ending June 30, 1985, by and between the City of Providence and Local 799, International Association of Firefighters, AFL-CIO, is hereby transmitted to the City Council for ratification and the City Clerk is directed to cause the same to be filed in the Department of City Clerk.

**Referred to Committee on Urban Redevelopment, Renewal and Planning, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.**

**The motion to Refer is Sustained.**

**Read and Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.**

**COUNCILMAN GLAVIN, COUNCILMAN DILLON and COUNCILWOMAN FARGNOLI (By Request):**

**The motion for Passage is Sustained.**

## RECESS

**On motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON, it is voted that the City Council be in Recess at 8:14 o'clock P.M. to Reconvene at the Call of the Chair and Acting Council President Stravato Appoints MAJORITY LEADER THOMAS M. GLAVIN and DEPUTY MAJORITY LEADERS DAVID G. DILLON and EVELYN V. FARGNOLI to Escort HIS HONOR MAYOR JOSEPH R. PAOLINO, JR., from the Executive Chamber to the Chamber of the City Council for the signing of the Collective Bargaining Agreement between the City of Providence and Local 799, International Association of Firefighters, AFL-CIO.**

## RECONVENTION

**ACTING COUNCIL PRESIDENT STRAVATO reconvenes the City Council at 8:27 o'clock P.M. and directs the Clerk to Call the Roll to ascertain if there is a quorum present:**

**Present: Acting Council President Stravato, Councilman Annaldo, Councilwoman Brassil, Councilman Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fagnoli, Councilmen Glavin,**

**Griffin, Lombardi, O'Connor and Petrosinelli—12.**

**Absent: Councilmen Cola, Farmer and Pitts—3.**

**ACTING COUNCIL PRESIDENT STRAVATO thereupon declares that a Quorum of the City Council is Present.**

## REPORTS FROM COMMITTEES

### COUNCILWOMAN CAROLYN F. BRASSIL, Chairwoman COMMITTEE ON FINANCE

**Transmits the following with Recommendation the Same be Severally Adopted:**

An Ordinance Amending the Appropriation Ordinance Chapter 1984-53 Approved July 20, 1984, by Transferring the Sum of Thirteen Thousand Nine Hundred Dollars (\$13,900.00) from Public Works Bridge Maintenance (1-005-09-266) to Public Works Sewer Construction and Maintenance (1-005-11-269).

**Referred Back to Committee on Finance, on motion of COUNCILWOMAN BRASSIL, seconded by COUNCILMAN GLAVIN.**

**The motion to Refer Back to Committee on Finance is Sustained.**

An Ordinance Amending the Appropriation Ordinance Chapter 1984-53 Approved July 20, 1984, by Transferring the Sum of Fifteen Thousand Dollars (\$15,000.00) from Street Cleaning (1-005-04-189) Item I to Environment Control (1-005-06-199) Item I.

An Ordinance in Amendment of Chapter 1984-55, Approved July 20, 1984 entitled: "An Ordinance Establishing a Compensation Plan for the City of Providence," relative to Supervisor, Urban Forestry Operations.

Severally Read and Collectively Passed the first time on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON, by the following Roll Call Vote:

Ayes: Acting Council President Stravato, Councilman Annaldo, Councilwoman Brassil, Councilman Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fargnoli, Councilmen Glavin,

Griffin, Lombardi, O'Connor and Petrosinelli—12.

Absent: Councilmen Cola, Farmer and Pitts—3.

The motion for Passage the First Time is Sustained.

**COUNCILMAN THOMAS F. O'CONNOR, JR., Chairman  
COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL  
AND PLANNING**

Transmits the following with recommendation of Adoption:

Resolution that the name of Bishop Street be changed to Borinquen Street.

*Resolved*, That Bishop Street be changed to Borinquen Street.

Read and Passed, on motion of COUN-

CILMAN GLAVIN, seconded by COUNCILMAN DILLON.

COUNCILMAN GRIFFIN wishes to be recorded as Voting "No."

The motion for Passage is Sustained.

**COMMUNICATIONS AND REPORT**

Certificates from the City Assessor (43-M and 45-M) Recommending the Same be Severally Cancelled Pursuant to the Provisions of Sections 14 and 15 of Title 44, Chapter 7, of the General Laws of Rhode Island, 1956, as Amended.

Severally Referred to Committee on Claims and Pending Suits, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion to Refer is Sustained.

Report from the Providence Redevelopment Agency, in accordance with the Provisions of Ordinance No. 147, Chapter 1982-15, of the Ordinances of the City of Providence, approved March 26, 1982, and Title 45, Chapters 31-33 of the General Laws of Rhode Island 1956, upon the proposed sale of real property within the Hartford Avenue Renewal Project, viz:

The Agency proposes the sale of Fringe Parcel 4, as delineated on the attached map, for the disposition price of \$1,440.00 to Elmgrove Associates, Ltd. of 541 Hartford Avenue,

Providence, Rhode Island. The parcel will be developed as a side yard for the adjoining existing residential and commercial property.

**Referred to Committee on Urban Redevelopment, Renewal and Planning, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.**

**The motion to Refer is Sustained.**

## FROM THE CLERK'S DESK

Petition of Aiello Construction, Inc., to abandon Rosemont Street.

Petition of Karroo Land Co., Inc. to abandon Vine Street, in its entirety.

Petition of Claremont Development Associates, Inc., for permission to construct a Handicapped Ramp at 30 Chestnut Street.

**Severally Referred to Committee on Public Works, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.**

**The motion to Refer is Sustained.**

Petitions for Compensation for Injuries and Damages, viz:

Patricia Bourassa

Hope Connors

Annie Costa

Lorraine Matrullo

New England Pest Control

Karen Sacco

M. Staller & Associates, Inc.

**Severally Referred to Committee on Claims and Pending Suits, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.**

**The motion to Refer is Sustained.**

## PRESENTATION OF RESOLUTIONS

### "In Congratulations"

**ACTING COUNCIL PRESIDENT STRAVATO and the MEMBERS of the CITY COUNCIL:**

Resolution Extending Congratulations to the following:

*Resolved*, That Congratulations of the City Council are hereby extended to the following:

Mr. and Mrs. Nicholas Gandolfo

Mr. and Mrs. John Verdecchia

**Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.**

**The motion for Passage is Sustained.**

## PRESENTATION OF RESOLUTIONS

### "In Memoriam"

**ACTING COUNCIL PRESIDENT STRAVATO and the MEMBERS of the CITY COUNCIL:**

Resolution Extending Sympathy:

*Resolved*, That the Sympathy of the Members of the City Council is hereby expressed to the families of the following:

Ann McEvoy

Domenick Gendolfe

Filomena Gesualdi

Antonetta Glittone

Diane M. Imondi

Catherine R. Stewart

Ernest Waddell

Frank C. Carpenter

John S. McGuinness III

Assunta Calcagni

Lena Fama

Herbert Gilman

Anthony Susi

**Severally Read and Collectively Passed by a Unanimous Rising Vote, on motion of**

COUNCILMAN GLAVIN, seconded by The motion for Passage is Sustained.  
COUNCILMAN DILLON.

## MATTERS NOT APPEARING ON THE PRINTED DOCKET

On motion of COUNCILMAN GLAVIN,  
seconded by COUNCILMAN DILLON, it is  
Voted to Suspend Rule 16 of the Rules of the  
City Council in order to allow the intro-  
duction of the following matters not  
appearing on the Printed Docket:

### COUNCILMAN THOMAS F. O'CONNOR, JR., Chairman COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND PLANNING

Transmits the following with recommen-  
dation the Same be Severally Adopted,  
as Amended:

Resolution Authorizing the Office of Economic Development on behalf of the City of Providence to Prepare and Submit an Application for an Urban Development Action Grant, as Amended. (Biltmore Associates).

*Whereas*, The filing of Urban Development Action Grants by the City of Providence is authorized by Title I, Section 119, Part 570, Subpart G, of the Housing and Community Development Act of 1974, as amended by Section 110 of the Housing and Community Development Act of 1977, and as finalized on January 10, 1978; and/or subsequently amended; and

*Whereas*, the aforesaid Federal regulations authorize the Department of Housing and Urban Development to make grants to assist distressed cities and distressed urban counties in revitalizing their economic bases and reclaiming deteriorated neighborhoods by means of public and private sector cooperation; and

*Whereas*, the City of Providence deems it necessary and in the public interest (1) to revitalize its commercial and retail sectors, (2) to increase employment opportunities in the city, (3) to increase the City's tax base, (4) to encourage the cooperation of the public and private sectors to achieve these goals; and

Whereas, the City of Providence deems it appropriate to contribute to the aforementioned efforts by assuring the attraction, retention, and expansion of commerce especially in areas where revitalization is underway, and by arranging for financial support for such private business development project; and

Whereas, Urban Development Action Grants are available for the activities and undertakings proposed herein.

Now, Therefore, be it Resolved by the City Council of the City of Providence as follows:

1. It is hereby found necessary and in the public interest to file an application to the Department of Housing and Urban Development for an Urban Development Action Grant for the repairs and renovation to the Biltmore Hotel to permit continued commercial use and maintain an important downtown landmark. Action Grant funds shall be loaned to the owners, Biltmore Associates, who shall undertake said rehabilitation of property at 11-17 Dorrance Street on Kennedy Plaza.

2. The Office of Economic Development is hereby authorized and designated as the representative of the City for filing the application with the Department of Housing and Urban Development, and to do all work necessary to carry out the term of the contract between the City and the Department of Housing and Urban Development relative to said Urban Development Action Grant.

3. That the United States of America and the Department of Housing and Urban Development be, and they are hereby assured of full compliance by the City of Providence with all regulations of the United States government effectuating the receipt of Federal Grants under the Housing and Community Development Act, as amended.

#### *Hiring Practices.*

A. Hiring Practices after the last paragraph being Section 3 as contained in and set forth on the appropriate page of the Resolution to Prepare and Submit an Application for an Urban Development Action Grant, as amended (Biltmore Associates) which is part of the aforementioned Resolution. Further add the following Sections (1), (2), (3), (4A), (4B), (4C), (5), (6), (7) and (8) after the last sentence of Section 3.

#### 1. *Goals.*

There is a very high rate of unemployment in the City of Providence among both white and minority residents;

The subsequent multiplier effect of this high level of unemployment has a direct and deleterious effect upon all the neighborhoods of the City of Providence, resulting in the physical deterioration of neighborhoods, vandalism and crime;

The City of Providence expends Millions of dollars in contracts, part of this money derived from taxes paid by City residents.

Many workers employed on such projects are individuals who do not reside in the City of Providence;

Black, Hispanic, Asian and native American residents of the City of Providence as well as female residents have historically been systematically excluded from the construction trades and unions in the City of Providence.

#### 2. *Definitions.*

The following words as used in this Resolution shall, unless the context otherwise requires, have the following meanings:

"Minority Person" shall include those persons who are Black, Hispanic, Asian or native American.

"Resident" is a person for whom the principal place where that person normally eats and sleeps

and maintains his or her normal personal and household effects is within the City limits for the City of Providence.

"Agency" shall mean Office of Economic Development.

### 3. Policy

(a) On the Urban Development Action Grant Project (Biltmore Associates) the worker hours on a craft-by-craft basis shall be performed, in accordance with the contract documents provided for in Section 3 (b) below as follows:

a. at least fifty percent of the total employee manhours in each trade shall be by *bona fide* Providence residents;

b. at least twenty-five percent of the total employee manhours in each trade shall be by minorities;

c. at least ten percent of the total employee manhours in each trade shall be by women.

For purposes of this paragraph, worker hours shall include work performed by persons filling apprenticeship and on-the-job training positions.

(b) In order to insure compliance with the Resolution, the provisions of this Resolution shall be included by the Agency in all contracts with any private corporation or individual for construction projects covered by this Resolution.

### 4. Compliance, Enforcement, Sanctions.

(A) The Agency, as defined in Section 2, shall be designated as responsible for the planning, implementation and enforcement of this Resolution, and shall have the following duties:

#### *Planning and Implementation.*

Prior to the commencement of the project, or capital works, covered by this Resolution, the Agency shall:

(1) review spending plans for such project:

(2) identify the number of job positions to be created by the project, upon completion of previous steps, the Providence Human Relations Commission shall take the following actions:

(1) in conjunction with appropriate unions and their existing collective bargaining agreements; recruit employees and arrange for training through established union apprenticeship programs; and

(2) establish a job screening and referral mechanism which shall refer City residents, minorities, and women to contractors and subcontractors to enable such contractors and subcontractors to comply with this resolution.

(B) The Agency shall be responsible for enforcing and monitoring compliance with the provisions of this Resolution and the contract provisions established in accordance therewith shall have the following duties:

(1) to require all contractors and subcontractors affected by this Resolution to submit weekly workforce charts listing workers by name, residential address, craft, job category, hours worked, sex and race. These charts shall be public records.

(2) to negotiate with all contractors/developers in order to identify and classify construction jobs by job titles, hiring dates, duration and training.

(3) to register all interested community-based organizations, and notify such organizations of any pre-bid or pre-construction conference between the Agency and Contractor relating to hiring requirements and goals as stated herein.

(C) The Agency shall have the power, by means of the contract provisions referred to in Section (3) above, to impose sanctions upon contractors and subcontractors found to be in non-compliance with this Resolution. Such sanctions shall include, but not limited to; (i)

suspension of payments, (ii) termination of the contract, (iii) recovery by the City of 10% of the contract award price as liquidated damages, and (iv) denial of right to participate in future projects for up to three years.

5. *Liaison Committee.*

The Agency shall establish a liaison committee which shall meet monthly, in a forum open to the public, to review the Agency's reports, monitor compliance with the provisions of the Resolution, and make recommendations to the Agency and the City Council regarding enforcement of this Resolution. The Agency shall accept nominations of up to three persons from any of the interested groups including, but not limited to: Union Contractors, Non-Union Contractors, State Office of Minority Business Assistance Contractor Association of Rhode Island, Training Agency personnel, Human Rights Activist Groups, Women's Organizations, Community Based Organizations and the Providence Chamber of Commerce. The Agency shall thereafter select one person from those nominations submitted by each organization to serve without compensation for a term of two years. This nomination and selection process shall be used to fill any vacancy.

6. *Training Program.*

The City of Providence shall establish or cause to be established, either independently or in concert with craft unions and construction contractors, job training programs to train minorities, Providence residents, and women for skilled or semi-skilled construction jobs. These programs shall be supervised by the Agency.

7. *Fines.*

Any person who provides false information regarding his or her residence address shall be subject to a fine of not more than \$200.

8. *Independent Agencies.*

Any and all activities of any independent agency, operating or acting on behalf of the City of Providence, including but not limited to, the Office of Economic Development shall comply with the provisions of this Resolution.

*Separability:* The unconstitutionality or invalidity of any section or part thereof of this Resolution and amendments thereto shall not invalidate or impair the validity, force or effect of any other section or part thereof unless it clearly appears from the context that such other section or part thereof is wholly and necessarily dependent for its operation upon the section or part thereof held unconstitutional or invalid.

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Resolution Authorizing the Office of Economic Development on behalf of the City of Providence to Prepare and Submit an Application for an Urban Development Action Grant, as Amended. (City Place Associates).

*Whereas,* the filing of Urban Development Action Grants by the City of Providence is authorized by Title I, Section 119, Part 570, Subpart G, of the Housing and Community Development Act of 1974, as amended by Section 110 of the Housing and Community Development Act of 1977, and as finalized on January 10, 1978; and as subsequently amended; and

*Whereas,* the aforesaid Federal regulations authorize the Department of Housing and Urban Development to make grants to assist distressed cities and distressed urban counties in revitalizing their economic bases and reclaiming deteriorated neighborhoods by means of public and private sector cooperation; and

*Whereas,* the City of Providence deems it necessary and in the public interest (1) to revitalize its commercial and retail sectors, (2) to increase employment opportunities in the city, (3) to increase the City's tax base, (4) to encourage the cooperation of the public and private sectors to achieve these goals; and

Whereas, the City of Providence deems it appropriate to contribute to the aforementioned efforts by assuring the attraction, retention, and expansion of commerce especially in areas where revitalization is underway, and by arranging for financial support for such private business development projects; and

Whereas, Urban Development Action Grants are available for the activities and undertakings proposed herein.

Now, Therefore, be it Resolved by the City Council of the City of Providence as follows:

1. It is hereby found necessary and in the public interest to file an application to the Department of Housing and Urban Development for an Urban Development Action Grant for the renovation to the former Outlet Co. Building to permit retail and commercial use and maintain an important downtown landmark. Action Grant funds shall be loaned to the owners, CityPlace Associates, who shall undertake said rehabilitation of the property on Weybosset Street in the Downtown.

2. The Office of Economic Development is hereby authorized and designated as the representative of the City for filing the application with the Department of Housing and Urban Development, and to do all work necessary to carry out the term of the contract between the City and the Department of Housing and Urban Development relative to said Urban Development Action Grant.

3. That the United States of America and the Department of Housing and Urban Development be, and they are hereby assured of full compliance by the City of Providence with all regulations of the United States government effectuating the receipt of Federal Grants under the Housing and Community Development Act, as amended.

#### *Hiring Practices.*

A. Hiring Practices after the last paragraph being Section 3 as contained in and set forth on the appropriate page of the Resolution to Prepare and Submit an Application for an Urban Development Action Grant, as amended (CityPlace Associates) which is part of the aforementioned Resolution. Further add the following Sections (1), (2), (3), (4A), (4B), (4C), (5), (6), (7) and (8) after the last sentence of Section 3.

#### 1. *Goals.*

There is a very high rate of unemployment in the City of Providence among both white and minority residents;

The subsequent multiplier effect of this high level of unemployment has a direct and deleterious effect upon all the neighborhoods of the City of Providence, resulting in the physical deterioration of neighborhoods, vandalism and crime;

The City of Providence expends Millions of dollars in contracts, part of this money derived from taxes paid by City residents.

Many workers employed on such projects are individuals who do not reside in the City of Providence;

Black, Hispanic, Asian and native American residents of the City of Providence as well as female residents have historically been systematically excluded from the construction trades and unions in the City of Providence.

#### 2. *Definitions.*

The following words as used in this Resolution shall, unless the context otherwise requires, have the following meanings:

"Minority Person" shall include those persons who are Black, Hispanic, Asian or native American.

"Resident" is a person for whom the principal place where that person normally eats and sleeps

and maintains his or her normal personal and household effects is within the City limits for the City of Providence.

"Agency" shall mean Office of Economic Development.

### 3. Policy

(a) On the Urban Development Action Grant Project (CityPlace Associates) the worker hours on a craft-by-craft basis shall be performed, in accordance with the contract documents provided for in Section 3 (b) below as follows:

a. at least fifty percent of the total employee manhours in each trade shall be by *bona fide* Providence residents;

b. at least twenty-five percent of the total employee manhours in each trade shall be by minorities;

c. at least ten percent of the total employee manhours in each trade shall be by women.

For purposes of this paragraph, worker hours shall include work performed by persons filling apprenticeship and on-the-job training positions.

(b) In order to insure compliance with the Resolution, the provisions of this Resolution shall be included by the Agency in all contracts with any private corporation or individual for construction projects covered by this Resolution.

### 4. Compliance, Enforcement, Sanctions.

(A) The Agency, as defined in Section 2, shall be designated as responsible for the planning, implementation and enforcement of this Resolution, and shall have the following duties:

#### *Planning and Implementation.*

Prior to the commencement of the project, or capital works, covered by this Resolution, the Agency shall:

(1) review spending plans for such project:

(2) identify the number of job positions to be created by the project, upon completion of previous steps, the Providence Human Relations Commission shall take the following actions:

(1) in conjunction with appropriate unions and their existing collective bargaining agreements, recruit employees and arrange for training through established union apprenticeship programs; and

(2) establish a job screening and referral mechanism which shall refer City residents, minorities, and women to contractors and subcontractors to enable such contractors and subcontractors to comply with this resolution.

(B) The Agency shall be responsible for enforcing and monitoring compliance with the provisions of this Resolution and the contract provisions established in accordance therewith shall have the following duties:

(1) to require all contractors and subcontractors affected by this Resolution to submit weekly workforce charts listing workers by name, residential address, craft, job category, hours worked, sex and race. These charts shall be public records.

(2) to negotiate with all contractors/developers in order to identify and classify construction jobs by job titles, hiring dates, duration and training.

(3) to register all interested community-based organizations, and notify such organizations of any pre-bid or pre-construction conference between the Agency and Contractor relating to hiring requirements and goals as stated herein.

(C) The Agency shall have the power, by means of the contract provisions referred to in Section (3) above, to impose sanctions upon contractors and subcontractors found to be in non-compliance with this Resolution. Such sanctions shall include, but not limited to; (i)

suspension of payments, (ii) termination of the contract, (iii) recovery by the City of 10% of the contract award price as liquidated damages, and (iv) denial of right to participate in future projects for up to three years.

5. *Liaison Committee.*

The Agency shall establish a liaison committee which shall meet monthly, in a forum open to the public, to review the Agency's reports, monitor compliance with the provisions of the Resolution, and make recommendations to the Agency and the City Council regarding enforcement of this Resolution. The Agency shall accept nominations of up to three persons from any of the interested groups including, but not limited to: Union Contractors, Non-Union Contractors, State Office of Minority Business Assistance Contractor Association of Rhode Island, Training Agency personnel, Human Rights Activist Groups, Women's Organizations, Community Based Organizations and the Providence Chamber of Commerce. The Agency shall thereafter select one person from these nominations submitted by each organization to serve without compensation for a term of two years. This nomination and selection process shall be used to fill any vacancy.

6. *Training Program.*

The City of Providence shall establish or cause

to be established, either independently or in concert with craft unions and construction contractors, job training programs to train minorities, Providence residents, and women for skilled or semi-skilled construction jobs. These programs shall be supervised by the Agency.

7. *Fines.*

Any person who provides false information regarding his or her residence address shall be subject to a fine of not more than \$200.

8. *Independent Agencies.*

Any and all activities of any independent agency, operating or acting on behalf of the City of Providence, including but not limited to, the Office of Economic Development shall comply with the provisions of this Resolution.

*Separability:* The unconstitutionality or invalidity of any section or part thereof of this Resolution and amendments thereto shall not invalidate or impair the validity, force or effect of any other section or part thereof unless it clearly appears from the context that such other section or part thereof is wholly and necessarily dependent for its operation upon the section or part thereof held unconstitutional or invalid.

## PRESENTATION OF RESOLUTIONS

ACTING COUNCIL PRESIDENT STRAVATO, COUNCILMAN ANNALDO, COUNCILWOMAN BRASSIL, COUNCILMAN COLA, COUNCILMAN DILLON, COUNCILWOMAN DIRUZZO, COUN-

CILMAN EASTON, COUNCILWOMAN FARGNOLI, COUNCILMAN FARMER, COUNCILMAN GLAVIN, COUNCILMAN GRIFFIN, COUNCILMAN LOMBARDI, COUNCILMAN O'CONNOR, COUNCIL-

**MAN PETROSINELLI and COUNCILMAN PITTS:**

Resolution expressing the Best Wishes of the Members of the City Council to City Clerk Rose M. Mendonca for a Complete and Speedy Recovery from her Recent Illness.

*Resolved*, That the Best Wishes of the Members of the City Council are hereby expressed to City Clerk Rose M. Mendonca for a Complete and Speedy Recovery from her Recent Illness.

Resolution expressing the Best Wishes of the Members of the City Council to Mrs. Rita Murphy for a Complete and Speedy Recovery from her Recent Illness.

*Resolved*, That the Best Wishes of the Members of the City Council are hereby expressed to Mrs. Rita Murphy for a Complete and Speedy Recovery from her Recent Illness.

**Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMEN DILLON and O'CONNOR.**

Resolution Authorizing the Office of Economic Development on behalf of the City of Providence to Prepare and Submit an Application for an Urban Development Action Grant, as Amended. (Harwol Realty).

*Whereas*, the filing of Urban Development Action Grants by the City of Providence is authorized by Title I, Section 119, Part 570, Subpart G, of the Housing and Community Development Act of 1974, as amended by Section 110 of the Housing and Community Development Act of 1977, and as finalized on January 10, 1978; and as subsequently amended; and

*Whereas*, the aforesaid Federal regulations authorize the Department of Housing and Urban Development to make grants to assist distressed cities and distressed urban counties in revitalizing their economic bases and reclaiming deteriorated neighborhoods by means of public and private sector cooperation; and

*Whereas*, the City of Providence deems it necessary and in the public interest (1) to revitalize its commercial and retail sectors, (2) to increase employment opportunities in the city, (3) to increase the City's tax base, (4) to encourage the cooperation of the public and private sectors to achieve these goals; and

*Whereas*, the City of Providence deems it appropriate to contribute to the aforementioned efforts by assuring the attraction, retention, and expansion of commerce especially in areas where revitalization is underway, and by arranging for financial support for such private business development project; and

*Whereas*, Urban Development Action Grants are available for the activities and undertakings proposed herein.

*Now, Therefore, be it Resolved* by the City Council of the City of Providence as follows:

1. It is hereby found necessary and in the public interest to file an application to the Department of Housing and Urban Development for an Urban Development Action Grant for the renovation of the Champlin Block on Weybosset and Snow Streets to permit retail and commercial use and maintain significant historical landmarks. Action Grant funds shall be loaned to the developer, Harwol Realty, who shall undertake said rehabilitation of the properties.

2. The Office of Economic Development is hereby authorized and designated as the representative of the City for filing the application with the Department of Housing and Urban Development, and to do all work necessary to carry out the term of the contract between the

City and the Department of Housing and Urban Development relative to said Urban Development Action Grant.

3. That the United States of America and the Department of Housing and Urban Development be, and they are hereby assured of full compliance by the City of Providence with all regulations of the United States government effectuating the receipt of Federal Grants under the Housing and Community Development Act, as amended.

*Hiring Practices.*

A. Hiring Practices after the last paragraph being Section 3 as contained in and set forth on the appropriate page of the Resolution to Prepare and Submit an Application for an Urban Development Action Grant, as amended (CityPlace Associates) which is part of the aforementioned Resolution. Further add the following Sections (1), (2), (3), (4A), (4B), (4C), (5), (6), (7) and (8) after the last sentence of Section 3.

1. *Goals.*

There is a very high rate of unemployment in the City of Providence among both white and minority residents;

The subsequent multiplier effect of this high level of unemployment has a direct and deleterious effect upon all the neighborhoods of the City of Providence, resulting in the physical deterioration of neighborhoods, vandalism and crime;

The City of Providence expends Millions of dollars in contracts, part of this money derived from taxes paid by City residents.

Many workers employed on such projects are individuals who do not reside in the City of Providence;

Black, Hispanic, Asian and native American residents of the City of Providence as well as female residents have historically been sys-

tematically excluded from the construction trades and unions in the City of Providence.

2. *Definitions.*

The following words as used in this Resolution shall, unless the context otherwise requires, have the following meanings:

"Minority Person" shall include those persons who are Black, Hispanic, Asian or native American.

"Resident" is a person for whom the principal place where that person normally eats and sleeps and maintains his or her normal personal and household effects is within the City limits for the City of Providence.

"Agency" shall mean Office of Economic Development.

3. *Policy*

(a) On the Urban Development Action Grant Project (Harwol Realty) the worker hours on a craft-by-craft basis shall be performed, in accordance with the contract documents provided for in Section 3 (b) below as follows:

a. at least fifty percent of the total employee manhours in each trade shall be by *bona fide* Providence residents;

b. at least twenty-five percent of the total employee manhours in each trade shall be by minorities;

c. at least ten percent of the total employee manhours in each trade shall be by women.

For purposes of this paragraph, worker hours shall include work performed by persons filling apprenticeship and on-the-job training positions.

(b) In order to insure compliance with the Resolution, the provisions of this Resolution shall be included by the Agency in all contracts with

any private corporation or individual for construction projects covered by this Resolution.

#### 4. *Compliance, Enforcement, Sanctions.*

(A) The Agency, as defined in Section 2, shall be designated as responsible for the planning, implementation and enforcement of this Resolution, and shall have the following duties:

##### *Planning and Implementation.*

Prior to the commencement of the project, or capital works, covered by this Resolution, the Agency shall:

(1) review spending plans for such project:

(2) identify the number of job positions to be created by the project, upon completion of previous steps, the Providence Human Relations Commission shall take the following actions:

(1) in conjunction with appropriate unions and their existing collective bargaining agreements, recruit employees and arrange for training through established union apprenticeship programs; and

(2) establish a job screening and referral mechanism which shall refer City residents, minorities, and women to contractors and subcontractors to enable such contractors and subcontractors to comply with this resolution.

(B) The Agency shall be responsible for enforcing and monitoring compliance with the provisions of this Resolution and the contract provisions established in accordance therewith shall have the following duties:

(1) to require all contractors and subcontractors affected by this Resolution to submit weekly workforce charts listing workers by name, residential address, craft, job category, hours worked, sex and race. These charts shall be public records.

(2) to negotiate with all contractors/developers in order to identify and classify construction jobs by job titles, hiring dates, duration and training.

(3) to register all interested community-based organizations, and notify such organizations of any pre-bid or pre-construction conference between the Agency and Contractor relating to hiring requirements and goals as stated herein.

(C) The Agency shall have the power, by means of the contract provisions referred to in Section (3) above, to impose sanctions upon contractors and subcontractors found to be in non-compliance with this Resolution. Such sanctions shall include, but not limited to; (i) suspension of payments, (ii) termination of the contract, (iii) recovery by the City of 10% of the contract award price as liquidated damages, and (iv) denial of right to participate in future projects for up to three years.

#### 5. *Liaison Committee.*

The Agency shall establish a liaison committee which shall meet monthly, in a forum open to the public, to review the Agency's reports, monitor compliance with the provisions of the Resolution, and make recommendations to the Agency and the City Council regarding enforcement of this Resolution. The Agency shall accept nominations of up to three persons from any of the interested groups including, but not limited to: Union Contractors, Non-Union Contractors, State Office of Minority Business Assistance Contractor Association of Rhode Island, Training Agency personnel, Human Rights Activist Groups, Women's Organizations, Community Based Organizations and the Providence Chamber of Commerce. The Agency shall thereafter select one person from those nominations submitted by each organization to serve without compensation for a term of two years. This nomination and selection process shall be used to fill any vacancy.

6. *Training Program.*

The City of Providence shall establish or cause to be established, either independently or in concert with craft unions and construction contractors, job training programs to train minorities, Providence residents, and women for skilled or semi-skilled construction jobs. These programs shall be supervised by the Agency.

7. *Fines.*

Any person who provides false information regarding his or her residence address shall be subject to a fine of not more than \$200.

8. *Independent Agencies.*

Any and all activities of any independent agency, operating or acting on behalf of the City of Providence, including but not limited to, the Office of Economic Development shall comply with the provisions of this Resolution.

*Separability:* The unconstitutionality or invalidity of any section or part thereof of this Resolution and amendments thereto shall not invalidate or impair the validity, force or effect of any other section or part thereof unless it clearly appears from the context that such other section or part thereof is wholly and necessarily dependent for its operation upon the section or part thereof held unconstitutional or invalid.

Resolution requesting that Adie Street, from Atwells Avenue north to a point parallel to the southerly property line of Assessor's Plat 26, Lot 202, is hereby renamed Enterprise Row, and that Mountain Street, from Bradford Street east to its junction with Adie Street, is hereby renamed Adie Street, as Amended.

*Resolved,* That Adie Street, from Atwells Avenue north to a point parallel to the southerly property line of Assessor's Plat 26, Lot 202, is hereby renamed Enterprise Row, and that Mountain Street, from Bradford Street east to its junction with Adie Street, is hereby renamed Adie Street, as amended.

**Severally Read and Collectively Passed, as Amended, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON and COUNCILMAN O'CONNOR, by the following Roll Call Vote:**

**Ayes:** Acting Council President Stravato, Councilman Annaldo, Councilwoman Brassil, Councilman Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fargnoli, Councilmen Glavin, Griffin, Lombardi, O'Connor and Petrosinelli—12.

**Absent:** Councilmen Cola, Farmer and Pitts—3.

**The motion for Passage as Amended is Sustained.**

## ADJOURNMENT

There being no further business, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON, the City Council adjourns at 9:00 o'clock P.M. (E.S.T.) to meet again on THURSDAY, DECEMBER 6, 1984 at 8:00 o'clock P.M. (E.S.T.).

*Michael R. Clement*

MICHAEL R. CLEMENT,  
*First Deputy City Clerk*

