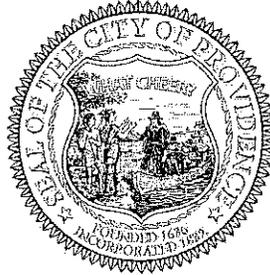


**CITY OF PROVIDENCE
RHODE ISLAND**



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 2 City Council Regular Council Meeting, Thursday, January 19, 2017, 7:00 o'clock P.M.

PRESIDING

COUNCIL PRESIDENT

LUIS A. APONTE

CALL TO ORDER

**PRESENT: COUNCIL PRESIDENT APONTE, COUNCILWOMAN CASTILLO,
COUNCILMAN CORREIA, COUNCILWOMAN HARRIS,
COUNCILMEN IGLOZZI, JACKSON, JENNINGS, COUNCILWOMAN MATOS,
COUNCILMAN PRINCIPE, COUNCILWOMAN RYAN,
COUNCILMEN SALVATORE, YURDIN AND ZURIER – 13.**

ABSENT: COUNCILMEN HASSETT AND NARDUCCI – 2.

**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 02 2017

APPROVED:

Lori L. Hagen CLERK

ROLL CALL

INVOCATION

The Invocation is given by **COUNCILWOMAN CARMEN CASTILLO**.

"Thank you God for the opportunity to be here tonight and to be here together. I want to ask You to open Your mind to help us make the best decisions we can make for the city and for this country. I want to take a moment of silence for the transition we have tomorrow for the new President. Thank you. Amen."

PLEDGE OF ALLEGIANCE

COUNCILMAN MICHAEL J. CORREIA 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. 1 of the Regular Meeting of the City Council held January 5, 2017, are approved as printed, on Motion of **COUNCILMAN PRINCIPE**, Seconded by **COUNCILMAN CORREIA**.

RESULT:	APPROVED (WITH VOTE) [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Iglizzi, Jackson, Jennings, Councilwoman Matos, Councilman Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
ABSENT:	Councilmen Hassett and Narducci – 2.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication from His Honor the Mayor, dated January 3, 2017, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1013 of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day re-appointing **Christine M. West** of 24 Messer Street, Providence, Rhode Island 02909, as a **Development/Real Estate Category Member of the City Plan Commission** for a term to end January 31, 2022, and respectfully submits the same for your approval.

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

RESULT:	REFERRED
TO:	Committee on Finance

Communication from His Honor the Mayor, dated January 11, 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 Section 2-14-2 of the Rhode Island General Law, he is this day designating **Providence City Forrester Douglas Still** as **Tree Warden**.

Communication from His Honor the Mayor, dated January 11, 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 Article II, Section 2, of the Providence Business Loan Fund, Inc. bylaws, he is this day appointing Director of Economic Development **Mark Huang** as a member of the **Providence Business Loan Fund, Inc. Board of Directors** for a term ending December 17, 2018. (Mr. Huang will replace Mr. Gralnek who has resigned.)

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

COUNCIL PRESIDENT APONTE Receives the Several Communications.

RESULT:	RECEIVED
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ORDINANCE(S) SECOND READING

The Following Ordinances were in City Council January 5, 2017, Read and Passed the First Time and are Severally Returned for Passage the Second Time:

COUNCILWOMAN RYAN, COUNCILMAN IGLIOZZI

An Ordinance Amending Chapter 21, "Revenue and Finance," to add a new Section, 21-54, Entitled: "Sole Source Verification."

SECTION 1. The Code of Ordinances of the City of Providence, Chapter 21, "Revenue and Finance," is hereby amended by adding the following section:
Sec. 21-54. Sole Source Verification.

Prior to the submission of any contract for which there is a purported "sole source" vendor award to the City Council for approval, as stipulated in Sec. 21-26(b)(2), the Director of Purchasing shall verify by certification that the vendor holds a unique set of skills or expertise that make it impossible for any other vendor to do the work or that the goods are not available from another source.

SECTION 2. This ordinance shall take effect upon passage.

COUNCIL PRESIDENT APONTE, (By Request):

An Ordinance Establishing a Tax Stabilization Agreement for HM Ventures Group 8, LLC located at 225 Weybosset Street.

WHEREAS, HM Ventures Group 8, LLC ("Owner") is the owner of certain real estate located at 225 Weybosset Street, Plat 24, Lot 417 in the City of Providence. The Owner proposes to convert this existing historic structure into fully renovated and rehabilitated mixed use building featuring commercial and residential uses (the "Project"); and

WHEREAS, The Owner intends on making a significant investment in returning this building to a productive use for the City and this Project which will enhance the tax base of the surrounding area and increase receipts of sales and meal and beverage tax revenues through the new sales generated by potential commercial tenants; and

WHEREAS, The City of Providence envisions that the Project will generate both construction related jobs associated with the building of the Project and permanent jobs associated with the tenants that will occupy the Project within the City of Providence as well as protect, preserve and showcase the a historic building that is a part of the rich history of the City of Providence; and

WHEREAS, The Project will provide for additional quality housing opportunities for people who want to live downtown and housing opportunities to support the demand for housing in the downtown area generated by the development of the 195 corridor and other businesses downtown; and

WHEREAS, Rhode Island General Laws § 44-3-9 ("Act") authorizes, subject to certain enumerated conditions, the city council of a city for a period not to exceed twenty (20) years, to exempt and determine an amount of taxes to be paid on account of real and tangible property used for commercial and residential purposes, notwithstanding the valuation of the real estate, tangible property or the rate of tax; and

WHEREAS, This Tax Stabilization Agreement (the "Ordinance") has been determined by the City Council of the City of Providence to be fair, equitable and acceptable to the City; and

WHEREAS, it is in the best interest of the residents of the City of Providence to grant this Tax Stabilization Agreement in order to foster the rehabilitation.

Be It Ordained by the City of Providence:

Section 1. That the findings set forth in the preceding recitals are hereby made and confirmed.

Section 2. Definitions. The following terms shall have the meanings set forth herein:

- (a) "Assessment" shall mean the value placed upon the improvements made by the Owner by the City of Providence Tax Assessor.
- (b) "Commencement Date" shall be the effective date of this Ordinance.
- (c) "Personal Property" means any and all tangible personal property including, but not limited to all fixtures, furniture, equipment, furnishings, vehicles, computer hardware and software, informational systems and other personal property.
- (d) "Project Site" means all of the real estate and buildings and improvements thereto located at 225 Weybosset Street, Plat 24, Lot 417 in the City of Providence.
- (e) "Project Site Owner" means an entity with the right and interest in and to the Project Site (or portions thereof), including successors to units and/or sub-units of the Project Site.
- (f) "Project Taxable Property" means collectively, the Project Site and all Real Property Improvements and Personal Property thereon.
- (g) "Real Property Improvements" means any structures or improvements including but not limited to buildings, parking lots/structures and related improvements to be constructed and developed on the Project Site.
- (h) "Stabilized Tax Payments" shall mean the payment of taxes pursuant to the schedules of payments detailed in Section 5 below.

(i) "Termination Date" means the 12th anniversary of the December 31 in which the Project Site is first assessed pursuant to the schedule set forth in Section 5 below.

Section 3. Grant of Tax Stabilization Agreement. The City of Providence, in accordance with the General Laws of the State of Rhode Island and the Code of Ordinances for the City of Providence, is hereby authorized to grant and does grant the schedule of Incentivized Tax Payments pursuant to Section 5.

Section 4. Term. The term of this Ordinance shall be a period commencing upon the Commencement Date and terminating on the Termination Date.

Section 5. Tax Exemption and Stabilization Plan. Tax Payments due for the first three (3) years of the Term shall remain at the 2016 assessed value and tax rate (hereinafter the "Base Assessment"). During the first three years of the Term, the Project Site Owner must substantially complete construction on the Project Site, subject to a Force Majeure Event (as defined below). In the fourth tax year after the Commencement Date, full taxes shall begin phasing in. Beginning in the fourth tax year after the Commencement Date, the assessor shall issue a bill for the Base Assessment plus a percentage of the difference between the Base Assessment then current full value assessment as follows:

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

Following the conclusion of twelve full years, The Project Site Owner will be paying the full current assessment. Tax Payments in each year beginning in the fourth tax year after commencement shall be calculated by the then current valuation of the property and the current applicable real property tax rates.

Section 6. Payment of Taxes and Revenue Reporting.

(a) Stabilized Tax Payments due to the City, pursuant to the schedule listed in Section 5, may be made in either a lump sum during the first quarter of the applicable tax year or in equal quarterly installments. If the quarterly payments are to be made, they shall be due on the same dates that quarterly taxes are due for all other taxpayers in the City.

(b) The liability for the Stabilized Tax Payments due and owing under this Ordinance shall constitute an obligation of the Project Site Owner, and the City shall be granted by the Project Site Owner, a first lien on the Project Taxable Properties, which lien shall be of the same priority and entitle the City to the same foreclosure remedies as the lien and foreclosure remedies provided under the applicable laws and ordinances with respect to real property and personal property taxes. The City agrees to provide Notice to Project Site Owner prior to exercising any foreclosure or other remedies available and the Owner of the Project Site shall have ninety (90) days to cure any alleged default under this Ordinance from the date upon which Notice of any alleged default is received from the City. Said Notice shall include, with specificity, the nature of any alleged default, and the actions which the City believes to be reasonably necessary to cure any alleged default under this Ordinance.

(c) It is understood that the Stabilized Tax Payments made hereunder are deemed by the City to be tax payments, and the Project Site Owner shall be entitled to all of the rights and privileges of a taxpayer in the City, including, without limitation, the right to challenge and appeal any assessment and/or reassessment. It is further understood and agreed that the City's sole and exclusive recourse to Project Site Owner is limited to the City's first lien on the Project Taxable Properties, however, nothing herein shall be construed to limit the right of the City to foreclose or take any other judicial proceeding available at law for the collection of taxes.

(d) Stabilized Tax Payments not made by the Project Site Owner as they become due shall be subject to any and all penalties allowed under Rhode Island General Laws. Failure to receive a tax bill reflecting the payments pursuant to Section 5 shall not relieve Project Site Owner of its obligation to make Stabilized Tax Payments herein. If for any reason the Project Site Owner does not receive an appropriate tax bill, Project Site Owner shall have the responsibility and obligation to make reasonable inquiries to the City in order to have such a proper tax bill issued and thereafter to make payment of the same no later than the due dates provided herein. Stabilized Tax Payments shall be made by Project Site Owner directly to the City of Providence Tax Collector's Office.

Section 7. Effect of Failure to Make Payments. The real property, tangible and personal property taxes payable to the City for the Project Site during the term of this Ordinance shall be based upon the schedules set forth in Section 5. This Ordinance is further conditioned upon Project Site Owner, whether now or in the future, remaining current on tax payments pursuant to Section 5. Failure to make said timely Stabilized Tax Payments may, at the discretion of the City of Providence following the Notice and the 90-day cure period set forth in Section 6(b), render this Ordinance null and void.

Section 8. Transfers. As long as the Project Site Owner or any successor or assignee owns or operates the Project Site, it will continue to pay Stabilized Tax Payments for the Project Site pursuant to this Ordinance.

(a) Project Site Owner or any successor or assignee, acknowledges and agrees that the Project Site will be subject to taxation pursuant to the terms of this Ordinance and thereafter subject to taxation pursuant to Rhode Island General Laws and the ordinances of the City of Providence. Project Site Owner, or any successor or assignee, agrees that the exemption and conditions under this Redevelopment Incentive Program shall run with the land.

(b) In the event that a Project Site Owner transfers the Project Site to a tax exempt entity in the first five years immediately following the expiration of this Ordinance, the Project Site Owner agrees that a percentage of the sale price will be paid to the City of Providence as follows: if the property is sold to a tax exempt entity in the first year immediately following the expiration of the Ordinance then the Project Site Owner shall pay five percent (5%) of the sale price to the City; if the property is sold to a tax exempt entity in the second year immediately following the expiration of the Ordinance then the Project Site Owner shall pay four percent (4%) of the sale price to the City; if the property is sold to a tax exempt entity in the third year immediately following the expiration of the Ordinance then the Project Site Owner shall pay three percent (3%) of the sale price to the City; if the property is sold to a tax exempt entity in the fourth year immediately following the expiration of the Ordinance then the Project Site Owner shall pay two percent (2%) of the sale price to the City; and if the property is sold to a tax exempt entity in the fifth year immediately following the expiration of the Ordinance then the Project Site Owner shall pay one percent (1%) of the sale price to the City.

Section 9. Employment and Contracts.

(a) Construction.

- i. MBE/WBE. Project Site Owner shall make a good faith effort to award to Minority Business Enterprises as defined in Rhode Island General Laws, Section 31- 14.1 ("MBE Act") no less than 10% of the dollar value of the construction costs for the Project (as determined in accordance with the rules and regulations promulgated pursuant to MBE Act). Project Site Owner shall make a good faith effort to award to Women Business Enterprises (WBE's) no less than 10% of the dollar value of the construction costs for the Project (as determined in accordance with Section 21-52 of the Code of Ordinances of the City of Providence). Project Site Owner will request the City MBE/WBE office and its Supplier Diversity Director to establish a list of qualified MBE/WBE companies in order to satisfy its MBE/WBE construction goals. In this manner, the City will assist Project Owner in meeting said goals. The process of participating with the MBE/WBE office and its Supplier Diversity Director shall begin upon passage in order to develop a designated MBE/WBE subcontractor list which will encourage MBE/WBE participation and joint ventures with other members with the construction industry.
- ii. Internal Revenue Service reporting. Except as provided under Rhode Island General Laws § 28-42-8, any person performing services at the Project Site shall annually receive either a W-2 statement or an IRS Form 1099.
- iii. First Source List. Pursuant to the City of Providence First Source Ordinance, the Project Owner shall enter into a First Source Agreement covering the hiring of employees necessary to complete the proposed Project and throughout the term of this Agreement. Project Owner shall work in conjunction with the Director of First Source Providence to develop the First Source Agreement.

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

(b) Permanent Employment. In conjunction with its efforts pursuant to this Section and its ongoing efforts to provide equal employment opportunity without regard to race, color, religion, natural origin, sex, age or handicap, Project Site Owner shall liaise with the City and with the Director of First Source Providence to assist in the recruitment of qualified minority, women, and handicap applicants as well as those on the First Source List for all of its employment positions.

(c) Reporting. During the construction phase of the Project, Project Site Owner shall annually report to the City Council on its progress in complying with the provisions of this Ordinance, including but not limited to, Section 10. To be clear, the terms of this Section 10 shall apply to Project Site Owner and its Real Property Improvements at the Project Site, but shall not be deemed to apply to the tenants of the Project Site and/or the businesses conducted thereon.

Section 10. Agreement to establish a fund to be held in Trust by the Treasurer of the City of Providence. Upon passage of the Resolution Ratifying this Ordinance, the Property Owner shall contribute to a Trust Fund established by the City, of which the Treasurer shall be the trustee. The Fund shall be identified as the "City Council Parks and Recreation Fund." The City Council shall establish regulations pertaining to the disbursement of funds.

(a) Payment of to the Fund. The Property Owner shall make annual payments to the Fund in the amount of five (5) percent of the total estimated abated tax for the term of the Agreement, for as long as this Agreement is in full force and effect, including any extensions should they be granted. Said annual payments will be payable on the anniversary of the commencement date in each subsequent tax year.

- (b) Investment and Distribution of the Fund. The trust fund will be invested by the Board of Investment, and an annual distribution of the investment shall be used to provide funds to the Department of Parks and to the Department of Recreation for capital improvements in neighborhood parks and recreation centers. Said annual distribution shall not supplant any funds that are provided to the Department of Parks or the Department of Recreation through the operating budget. The amount of the distribution shall not exceed four (4) percent. Distributions may never exceed the earnings in the year of distribution or reduce the corpus of the funds. The first payment from the fund shall begin in the fifth year after the establishment of the Agreement.

Section 10. Resolution of Calculation Disputes. Project Site Owner and the City of Providence agree that Project Site Owner retains the right to appeal the valuation or calculation of the taxes assessed from time to time.

Section 11. Severability. If any one section of this Ordinance is found to be unenforceable, then the other provisions herein shall continue to have the same force and effect as if the unenforceable provision were not passed as part of this Ordinance.

Section 12. Applicable Law. This agreement shall be construed under the laws of the State of Rhode Island.

Section 13. Effective Date. This Ordinance shall become effective immediately upon its passage by the City Council and approval by the Mayor.

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

RESULT:	READ/PASSED SECOND TIME [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Iglizzi, Jackson, Jennings, Councilwoman Matos, Councilman Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
ABSENT:	Councilmen Hassett and Narducci – 2.

The Motion for Passage the Second Time is Sustained.

PRESENTATION OF RESOLUTIONS

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

Resolution Extending Sincere Best Wishes to John Hill for a complete and speedy recovery from his recent surgery.

RESOLVED, That the Members of the Providence City Council hereby Extend Sincere Best Wishes to John Hill for a complete and speedy recovery from his recent surgery.

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

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliazzi, Jackson, Jennings, Councilwoman Matos, Councilman Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
ABSENT:	Councilmen Hassett and Narducci – 2.

The Motion for Passage is Sustained.

COUNCILMAN CORREIA

Resolution Requesting the Director of Public Works to cause the Clean and Lien of the property located at 140 Dover Street.

RESOLVED, That the Director of Public Works is requested to cause the Clean and Lien of the property located at 140 Dover Street.

Resolution Requesting the Director of Public Works to repave Academy Avenue from Dover Street to Atwells Avenue.

RESOLVED, That the Director of Public Works is requested to repave Academy Avenue from Dover Street to Atwells Avenue.

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

RESULT:	PASSED [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Iglizzi, Jackson, Jennings, Councilwoman Matos, Councilman Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
ABSENT:	Councilmen Hassett and Narducci – 2.

The Motion for Passage is Sustained.

COUNCILMAN CORREIA

Resolution Requesting the Traffic Engineer to cause the installation of speed bumps on Carleton Street.

Resolution Requesting the Traffic Engineer to cause the installation of speed bumps on Fairview Street.

COUNCILMAN CORREIA, COUNCILWOMAN MATOS

Resolution Requesting the Traffic Engineer to cause the installation of "No Parking Anytime" Signs on both sides of Ryan Lane.

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

COUNCIL PRESIDENT APONTE Refers the Several Resolutions the Committee on Public Works.

RESULT:	REFERRED
TO:	Committee on Public Works

COUNCILMAN SALVATORE

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2017
H-5020, An Act Relating to RIPTA - Elderly and Disabled Bus Pass Assistance.

**COUNCILMAN SALVATORE Moves to Withdraw the foregoing Resolution, Seconded by
COUNCILMAN PRINCIPE.**

RESULT: WITHDRAWN

COUNCILMAN SALVATORE

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2017
H-5055, An Act Relating to Motor and Other Vehicles - Driver Education Requirements.

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2017
H-5057, An Act Relating to Labor and Labor Relations - Minimum Wage.

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2017
H-5067, An Act Relating to Criminal Offenses - Weapons.

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2017
H-5107, An Act Relating to Labor and Labor Relations - Minimum Wages.

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2017
H-5120, An Act Relating to Education - Curriculum.

**COUNCILMAN PRINCIPE Moves to Dispense with the Reading of the foregoing matters,
Seconded by COUNCILMAN CORREIA.**

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

Resolution Urging the Governor and Members of the General Assembly to support improvements and repairs to Public School Buildings.

WHEREAS, A strong Providence public school system is a critical factor in improving the lives of young people in our capital city; and

WHEREAS, A 2015 survey of pertinent academic research, conducted by Penn State University, supports the importance of the condition of school facilities to improve student outcomes, including factors of acoustics and noise, air quality, lighting, proper temperature and control of temperature, classroom space, and 21st century learning models; and

WHEREAS, According to the Rhode Island Department of Elementary and Secondary Education's 2013 School House Assessment, the average public school building in RI is 60 years old, and a majority of school buildings statewide are between 50 and 100 years old; and

WHEREAS, Beyond age, past failures to properly maintain public school buildings has left many classrooms in a state of disrepair and students in unsafe and unhealthy environments; and

WHEREAS, The same report estimated that about one fifth of RI's public school buildings are in need of "moderate to major renovations" or "replacement," with an estimated cost of the repairs needed at those schools of over \$830 million; and

WHEREAS, On average, Providence and RI's other urban school districts were found to have greater facilities and repair needs than schools outside of the urban core and serve a larger number of students, making proper funding of school infrastructure all the more necessary; and

WHEREAS, According to the National Resources Network report dated April 25, 2016, Providence public schools face over \$600M in deferred maintenance costs; and

WHEREAS, Also according to the National Resources Network report, Providence public schools require a targeted capital investment program of more than \$20M per year beyond their deferred maintenance needs; and

WHEREAS, According to the aforementioned Penn State survey of research, the benefits of improving school facilities surpass the fiscal costs, and policymakers “should focus greater attention on the impacts of facilities and adopt a long-term cost-benefit perspective on efforts to improve school facilities”; and

WHEREAS, Providing a proper public education and adequate facilities in which to learn is an integral part of governance and a moral responsibility for state and local elected officials; and

WHEREAS, Moreover, repairing and improving school facilities is an investment in both the next generation of Rhode Islanders and in Rhode Island’s economic future, showing children that their education and well-being are priorities and sending the message to businesses that Rhode Island is building a more prosperous future; and

WHEREAS, As part of the “Fair Shot Agenda,” a group of State representatives and senators are proposing legislation securing investments for educational facilities remediating health and safety concerns, making schools more energy efficient, and updating facilities so students have the tools they need to develop 21st Century skills; and

WHEREAS, Such investments are welcomed and necessary in order to provide the young people of Rhode Island with the high quality education they deserve; and

WHEREAS, State and local leaders have a moral obligation to properly repair, maintain, and update educational facilities so students have safe and healthy environments in which to learn.

NOW, THEREFORE BE IT RESOLVED, That the City Council of the City of Providence does urge the Governor, the members of the General Assembly, the Mayor, the Providence School Board, and RIDE to collaborate and develop a concrete plan to support the necessary improvements and repairs to public school building in Providence and throughout Rhode Island.

BE IT FURTHER RESOLVED, That, upon passage, this resolution sent to the Governor, the Mayor, the members of the Providence School Board, the members of the RI Board of Education, the Speaker of the House of Representatives, the President of the Senate, and the entire Providence delegation in the General Assembly.

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

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliozzi, Jackson, Jennings, Councilwoman Matos, Councilman Principe, Councilwoman Ryan, Councilmen Salvatore, Yuridin and Zurier – 14.
ABSENT:	Councilmen Hassett and Narducci – 2.

The Motion for Passage is Sustained.

COUNCILMAN YURDIN

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

COUNCILMAN PRINCIPE Moves to Refer the Resolution to The Special Committee on Municipal Operations and Oversight, Seconded by COUNCILMAN CORREIA.

RESULT:	REFERRED
TO:	Special Committee on Municipal Operations and Oversight

REPORT(S) FROM COMMITTEE(S)

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

Transmits the Following with Recommendation the Same be Adopted:

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.

**COMMITTEE ON ORDINANCES
COUNCILMAN TERRENCE M. HASSETT, Chairman,
AND
SPECIAL COMMITTEE ON MUNICIPAL OPERATIONS
AND OVERSIGHT, JOINTLY
COUNCILWOMAN JO-ANN RYAN, Chairwoman**

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

COUNCILWOMAN RYAN

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

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

RESULT:	READ/PASSED FOR THE FIRST TIME [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliazzi, Jackson, Jennings, Councilwoman Matos, Councilman Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
ABSENT:	Councilmen Hassett and Narducci – 2.

The Motion for Passage the First Time is Sustained.

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

Transmits the Following with Recommendation the Same be Approved:

COUNCIL PRESIDENT APONTE, (By Request):

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

Envision Technology Advisors (Water Supply Board)	\$700,000.00
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RESOLVED, That the Members of the Providence City Council hereby Authorize Approval of the following Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

Envision Technology Advisors (Water Supply Board)	\$700,000.00
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Read and Passed, on Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILMAN CORREIA and Refer Back to Board of Contract and Supply.

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliozi, Jackson, Jennings, Councilwoman Matos, Councilman Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
ABSENT:	Councilmen Hassett and Narducci – 2.

The Motion for Passage is Sustained.

Transmits the Following with Recommendation the Same be Received Approved:

Communication from His Honor the Mayor, dated December 19, 2016, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended, Section 8-13 of the Code of Ordinances of the City of Providence, and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day re-appointing **William P. Rampone, Esquire** of 35 East Lantern Road, Smithfield, Rhode Island 02917 as the **Associate Justice of the Providence Housing Court**, for a term to end December 31, 2019, and respectfully submits the same for your approval.

Communication from His Honor the Mayor, dated December 30, 2016, 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, he is this day re-appointing **Dennis Dolan Crook** of 101 Princeton Avenue, Providence, Rhode Island 02907, as a member of the **Providence Harbor Management Commission** for a term to expire on December 31, 2019, and respectfully submits the same for your approval.

Communication from His Honor the Mayor, dated December 30, 2016, 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, he is this day re-appointing **Jason Kelly** of 574 Elmgrove Avenue, Providence, Rhode Island 02906, as a member of the **Providence Harbor Management Commission** for a term to expire on December 31, 2019, and respectfully submits the same for your approval.

Communication from His Honor the Mayor, dated December 29, 2016, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1009 of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day re-appointing **Arthur Strother** of 270 Willard Avenue, Providence, Rhode Island 02907, as a member of the **Zoning Board of Review** for a term to expire on January 31, 2022, and respectfully submits the same for your approval.

Communication from His Honor the Mayor, dated December 16, 2016, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1009 of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day appointing **Ian Baldwin** of 755 Westminster Street, Providence, Rhode Island 02903, as a member of the **Zoning Board of Review** for a term ending on January 1, 2018, and respectfully submits the same for your approval. (Mr. Baldwin will replace Mr. Martinez who has resigned.)

Communication from His Honor the Mayor, dated December 16, 2016, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1009 of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day appointing **Helen Anthony** of 654 Angell Street, Providence, Rhode Island 02906, as a second-alternate member of the **Zoning Board of Review** for a term ending on January 1, 2022, and respectfully submits the same for your approval.

Communication from His Honor the Mayor, dated December 29, 2016, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 701 of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day re-appointing **Nina Pande** of 182 Adelaide Avenue, Providence, Rhode Island 02907, as a member of the **Providence School Board** for a term to expire on January 31, 2020, and respectfully submits the same for your approval.

Communication from His Honor the Mayor, dated December 29, 2016, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 701 of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day re-appointing **Robert Gondola, Jr.** of 1 Regency Plaza, Providence, Rhode Island 02903, as a member of the **Providence School Board** for a term to expire on January 31, 2020, and respectfully submits the same for your approval.

Communication from His Honor the Mayor, dated January 5, 2017, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 701 of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day appointing **Kinzel Thomas** of 84 Armington Avenue, Providence, Rhode Island 02908, as a member of the **Providence School Board** for a term to expire on January 31, 2020, and respectfully submits the same for your approval.

Communication from His Honor the Mayor, dated December 30, 2016, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1002 of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day appointing **Dylan B. Conley** of 12 Willow Street, Providence, Rhode Island 02909, as a member of the **Board of Licenses** for a term ending on January 17, 2020, and respectfully submits the same for your approval.

Communication from His Honor the Mayor, dated December 29, 2016, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1102 of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day re-appointing **Charles C. Newton** of 45 Larch Street, Providence, Rhode Island 02906, as a member of the **Board of Licenses** for a term ending on January 31, 2020, and respectfully submits the same for your approval.

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

RESULT:	RECEIVED AND APPROVED [12 TO 1]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliazzi, Jackson, Jennings, Councilwoman Matos, Councilman Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
ABSENT:	Councilmen Hassett and Narducci – 2. COUNCILMAN YURDIN wishes to be recorded as voting "NO" on Dylan B. Conley and Charles C. Newton.

**COMMITTEE ON URBAN REDEVELOPMENT,
RENEWAL AND PLANNING
COUNCILWOMAN SABINA MATOS, Chairwoman**

Transmits the Following with Recommendation the Same be Severally Approved:

COUNCILMAN HASSETT

Resolution Establishing a ceremonial designation along Nolan Street as "Patrick T. Griffin Way."

RESOLVED, That a ceremonial designation be established along Nolan Street as "Patrick T. Griffin Way."

COUNCILMAN NARDUCCI

Resolution Designating the intersection of Nahant Street and Russo Street as "Sister Patricia Farley Memorial Square."

WHEREAS, Described as, "Fiery, strong, smart, quick, caring, and justice-minded," Sister Patricia Ann Farley was a Sister of Mercy for 63 years; and

WHEREAS, A dedicated member of her community, she taught elementary and high school at Our Lady of Providence Seminary, began a broad-based religious education program at St. Catherine Parish in Warwick, trained inmates in the ACI so they could teach literacy skills to other less educated inmates, tutored low-income mothers to help them earn their GED, and was instrumental in developing literacy programs for adults with developmental disabilities; and

WHEREAS, In 2014, Sister Pat, as she was commonly known, was granted the first ever Lifetime Leadership Award from Re-Focus, a local non-profit agency serving adults with physical and developmental needs, for her 21 years of service to that organization; and

WHEREAS, During her time at Re-Focus, she served as the Director of Human Resources and created comprehensive and creative training programs for staff that were served as a guide for a whole generation of dedicated professionals; and

WHEREAS, Sister Pat was known for her exceptional teaching ability, her organizational skills, and, most of all, incredible ability to support and encourage others to achieve their goals and better themselves; and

WHEREAS, Sister Patricia Farley passed away from cancer at the age of 80; and

WHEREAS, It is a fitting tribute to the life, work, and legacy of Sister Patricia Farley to name the intersection of Nahant and Russo Streets, just steps from the Re-Focus Community Center where she worked for more than two decades, in her memory.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence does hereby honor the life, work, and legacy of Sister Patricia Farley by naming the intersection of Nahant Street and Russo Street, "Sister Patricia Farley Memorial Square."

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

RESULT:	PASSED [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Iglizzi, Jackson, Jennings, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 12.
ABSENT:	Councilmen Hassett and Narducci – 2.
	COUNCILWOMAN MATOS Abstains from voting on "Resolution Establishing a ceremonial designation along Nolan Street as "Patrick T. Griffin Way."

The Motion for Passage is Sustained.

FROM THE CLERK'S DESK

Certificates from City Assessor (21L and 22L), recommending the same be severally cancelled pursuant to the provisions of Section 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, As Amended.

COUNCIL PRESIDENT APONTE Refers the Several Certificates to the Committee on Finance.

RESULT:	REFERRED
TO:	Committee on Finance

Petitions for Compensation for Injuries and Damages, viz:

Paragon Subrogation Services, Inc.
a/s/o Esurance/Jean Nsabumuremyi
George Hyder
Allstate
a/s/o Glenn Tao
Issak Berhe
(Frank L. Orabona, Esquire)

Simon Peralta
(Shannah Kurland, Esquire)
Amy Hall p.p.a. Ariah Hall
(Christopher E. Fay, Esquire)
Valerie G. Benedetti
Jeffrey R. Szyrkarski

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 Lori L. Hagen, City Clerk, dated January 5, 2017, of all monies received, transmitted to and credited by the City Collector for fiscal quarter of October 1, 2016 to and including December 31, 2016, in a total amount of One Thousand Five Hundred Twenty Four Dollars and Twenty Five (\$1,524.25) Cents.

Communication from Gina M. Costa, Auditor/Budget Analyst, Office of Internal Auditor, dated January 11, 2017, submitting the Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2016.

Executive Order 2017-1, submitted by His Honor the Mayor, dated January 11, 2017, Amending Executive Order 2016-5, issued November 22, 2016, Entitled: "Establishing the Muslim-American Advisory Board".

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

RESULT: RECEIVED

**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:

Firefighter David Curry, Carpenter Shop, Fire Prevention Bureau, in recognition of his retirement after 35 years of dedicated service to the Providence Fire Department.

Firefighter Timothy Whalen, Air Supply Division, in recognition of his retirement after 33 years of dedicated service to the Providence Fire Department.

Firefighter Arthur Laurenson, Fire Prevention Bureau, in recognition of his retirement after 28 years of dedicated service to the Providence Fire Department.

Emma Lacey Narducci, in recognition of the celebration of her 1st Birthday, born on January 19, 2016.

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

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliazzi, Jackson, Jennings, Councilwoman Matos, Councilman Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
ABSENT:	Councilmen Hassett and Narducci – 2.

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:

Ronald L. Turley

Michael P. Rikapito

Ada Otia Kilgore

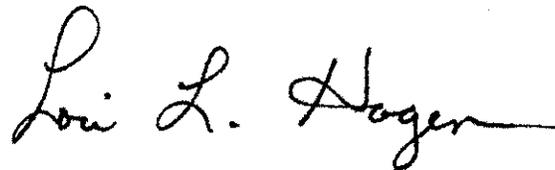
Michael G. Mullen

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

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Council President Aponte, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliazzi, Jackson, Jennings, Councilwoman Matos, Councilman Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 14.
ABSENT:	Councilmen Hassett and Narducci – 2.

CONVENTION

There being no further business, on Motion of **COUNCILMAN PRINCIPE**, Seconded by **COUNCILMAN CORREIA**, it is voted to adjourn in memory of Rose M. Mendonca at 7:36 o'clock P.M., to meet again **WEDNESDAY, FEBRUARY 1, 2017 at 6:00 o'clock P.M.**

A handwritten signature in black ink that reads "Lori L. Hagen". The signature is written in a cursive style with a long horizontal flourish at the end.

LORI L. HAGEN
CITY CLERK