

CITY OF PROVIDENCE RHODE ISLAND



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



IN CITY COUNCIL
JAN 04 2024

APPROVED

Tina L. Mastrosianni

CLEAR

CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 29 City Council Special Meeting, Thursday, December 14, 2023, 6:00 o'clock P.M.

PRESIDING

COUNCIL PRESIDENT

RACHEL M. MILLER

CALL TO ORDER

PRESENT: COUNCIL PRESIDENT MILLER, COUNCILOR ANDERBOIS, COUNCILWOMAN ANTHONY, COUNCILMEN ESPINAL, GONCALVES, COUNCILWOMEN GRAVES, HARRIS, PETERSON, COUNCILOR PICHARDO, COUNCILWOMAN RYAN, COUNCILOR SANCHEZ, COUNCILMAN TAYLOR, COUNCILWOMAN VARGAS AND COUNCILMAN VARGAS – 14.

ABSENT: COUNCILOR ROIAS – 1.

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

INVOCATION

The Invocation is given by **COUNCILWOMAN MARY KAY HARRIS**.

"Heavenly Father, we come before you tonight in a humble way Lord, asking you as this holiday season proceeds, that you help us in our hearts Father to think about the people who are less fortunate. Father, as we spend time with our families, Lord, let us think about families that have not the same opportunities. Father, let's think about what the season really means to many of us. Father, this is a time of miracle's, a time when Baby Jesus was born. So, Father, we ask for all kind of blessings to rise up on our city and our city as a whole Father. We ask you Father, also for the blessings of the state. Father, we pray for every politician that is in office today. We pray for every family Father that is in their home tonight. We pray for every child that is in the schools today Father. Father, we ask for many blessings, but most of all Father, we ask you for a blessed season as the year is changing. I ask you to have mercy upon us Father as I close this prayer and I pray in Jesus' name. Amen."

PLEDGE OF ALLEGIANCE

COUNCILWOMAN ANA S. VARGAS Leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

CALL FOR SPECIAL MEETING

COMMUNICATION FROM

COUNCIL PRESIDENT RACHEL M. MILLER

Request filed with the City Clerk December 12, 2023, Requesting a Special Meeting of the City Council to be called on the 14th day of December, 2023 at 6:00 o'clock P.M., in the City Council Chamber, Third Floor, City Hall.

WARRANT FOR SPECIAL MEETING

Warrant of the City Clerk to Napoleon Askie, City Sergeant, with Return Certification that he has notified each Member of the City Council of the Special Meeting to be called for the 14th day of December, 2023 at 6:00 o'clock P.M., in the City Council Chamber, Third Floor, City Hall.

COUNCILMAN TAYLOR Moves to Waive the Reading of items 1 and 2, Seconded by COUNCILWOMAN HARRIS.

COUNCIL PRESIDENT MILLER Receives items 1 and 2.

RESULT: RECEIVED

PERSONAL EXPRESSION

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

“Tonight, we have two distinguished Providence Police Officers that are retiring and I would like to read a little bio and a citation from the council. First of all, and we’re not going by seniority or looks. Everybody knows Officer Joseph Iannucci. He was from the 55th Recruiting Class, The Fighting 55 Providence Police Department. Officer Iannucci was sworn into the Providence Police Department on August 25, 1995. Officer Iannucci served in the following departments: from 1995 to 2000 Patrol Bureau Night Sub-Station 2 District 2, the year 2000 Staff Member of the 58th Recruiting Class, from 2000 to 2003 Patrol Bureau nights, from 2003 to 2006 Patrol Bureau days Sub-Station 2 District 2, from 2006 to 2014 Home Land Security Bureau, from 2014 to 2017 Patrol Bureau Days District 6, from 2017 to present the Homeland Security Bureau and the Executive Protection in City Hall. He is also in the Maritime Unit and he was in the Riffle Academy from 2003 to 2023. I am going to read a citation. Be it hereby known to all that the Providence City Council hereby offers its Sincerest Congratulations to Officer Joseph C. Iannucci, Providence Police Department. In recognition and the celebration of your retirement on December 31, 2023 after 28 years of dedicated service to the City of Providence and its’ signed by the full City Council. Joe, we are going to miss you downstairs. I want to thank you for all the years I have known you in the Fire Department and as a Councilman and protecting us here and looking after this City Council and the previous City Councils’ backs. So, thank you for your dedicated service.

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

“I rise to congratulate a friend whom I served in the Air Force Air National Guard Joe Iannucci. Over the years he was actually my Sergeant during those times as we were pursuing law enforcement careers. Throughout the years I’ve seen him patrol our areas and become a true veteran, a true dedicated service person for not only the City of Providence but the State of Rhode Island. He has always been a person that is very firm, but also very compassionate. It is a true pleasure to have a friend or someone that you can call a friend that always says to you I got your back because that is what we did when we were in the military and remember all those who have served. I wish you the best in your retirement. I know you’re not going far.

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

“I would just like to say that I just found out that Joe was retiring and I almost burst into tears and I don’t cry very often. You truly have been not only having our backs all the time, making sure we are all right inside and outside of the building, but just your joyful and cheerful hello every time we come into City Hall. You really have been a friend and I will miss you terribly. So, thank you.”

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

“Joseph, I wish you the best and I can call you a friend. You are a true example for our Police Department and hopefully the new officer can follow in your footsteps. I wish you the best. If you need anything you know where to find me. Thank you.”

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

“I also want to echo the remarks that have been made by my colleagues. Officer Iannucci is such a gracious, kind human being and I want to thank him for his outstanding dedication and commitment to the City of Providence as he embarks on his well-deserved retirement. If I may Majority Leader, I know you’re also going to be acknowledging Officer Moody who is here tonight and I would just say between the two of them the amount of shared experience and wherewithal is something that we’re truly going to miss in the Providence Police Department. Officer Moody serves in District 9. I recall a lot of late night calls with Officer Moody and he has always been so accessible and is such a standup guy in the community. Between the two of you I just want to say thank you for your service and your commitment. I know the Chief is here, Chief Perez. I see the Former Chief as well which is a testament to how respected and appreciated you both are in the department. So, I just want to say congratulations. We are immensely grateful for you service and wishing you all the best during your retirement. Thank you.”

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

“I would like to stand also to thank Officer Joseph Iannucci as he decides whatever direction he is going, he is going in. I wish him success in whatever he does. I want to say I am going to miss you the most because you know and figured it out that I do not parallel park. I call it paranoid parking and you have helped me so many times to be able to adjust my car and put it in the space. I also appreciate the fact that you always look out for my parking spot no matter where I park even in the emergency lane and I thank you for that. I also thank you for telling me about my meetings that I am supposed to be at and reminding me that I am supposed to be back in City Hall the next day. You have been a wonderful person and I really appreciate how you have treated us all very fair. So, I appreciate you and you are going to be missed in the space that you have been serving in., Thank you for all you have done.”

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

“I just started and you are leaving. This is not fair. Enjoy your life. You are retiring from this building but you are not retiring from whatever you want to do. I always see him every day running too fast because he wants to be on time. So, good luck and do whatever you want to do, do it. God Bless you.”

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

“I stand to honor Joe, you have done a wonderful job for us. Most importantly I would like to thank you for your service to our country, your service to our city and your service to the 5th Ward. As a proud member of the 5th Ward I love to have you in my community, but moreover you are a member of the council family. We wish the best, we wish you a wonderful retirement. Don’t be a stranger, come back and visit us because we know there are certain people that you just want to see on a regular basis that have become your friends outside of our family. Thank you for distinguished service to this city and to our country.

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

“I definitely agree with everything that my colleagues have said. You have been nothing but supportive and very helpful trying to learn the ropes of parking at City Hall. I just want to wish you well and most importantly I just want to take the time to forgive you for the three to four parking tickets that I was given in the past year Joe.

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

“Joe, thank you so much for your service. I want to congratulate you on your retirement. I am definitely going to miss your warm greetings, when we’re in, when we’re out. You’re always there to make sure we are safe and you provide us with anything that we need. You will be missed. Thank you so much for our service again.”

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

“Something just reminded me before I bring on Frank. Joe and Frank, both, if you want, I know you could probably talk to Councilwoman Vargas, she can probably get you some good deals for cruises because she seems like she is on a cruise every other week. So, I would reach out to her definitely and talk to her. Councilwoman Ryan just reminded of something, you don’t have to retire and leave this place because when I retired from the Fire Department I ran for City Council. So, I know that Councilwoman Ryan is termed out so you wouldn’t be running against her, but you could run for Ward 5 Councilperson and you could be sitting right where the Councilwoman is sitting. So, think about that. Thank you again Joe for your service and your friendship and dedicated to the Police Department and the City of Providence. So, now we are going to move onto Officer Frank Moody who was from the 47th Recruiting Class of the

Providence Police Department. Officer Moody was sworn into the Providence Police Department on October 10, 1980, that was 43 years ago imagine that. I was 17 years old Frank, I was still in high school in 11th grade. I don't want to make you feel old or anything. Officer Moody served in the following departments: from 1980 to 1982 the Patrol Bureau, from 1982 to 1984 Auto Theft, from 1984 to 1985 the Patrol Bureau, from 1985 to 1989 Traffic Bureau and the Night Motorcycle, from 1989 to 1990 to Patrol Bureau, from 1990 to 2001 Special Investigations Fugitives Organized Crime Intelligence, from 2001 to 2013 Fire Arms Training, from 2013 to 2023 the Patrol Bureau, from 1983 to 2023 the Special Response Unit, the Maritime Unit, the Dive Team and from 2011 to 2016 the Rhode Island State Weapons of Mass Destruction Tactical Team Leader. So, I would like to read the citation that we got for him. City of Providence Official Citation, Be it hereby known to all that the Providence City Council hereby offers its Sincerest Congratulations to Officer Frank Moody, Providence Police Department. In recognition of the celebration of your retirement on December 31, 2023 after 43 years of dedicated service to the City of Providence. Signed by the full City Council. Frank, as a friend, we've known each other through the Fire Department and you have been around longer than probably many people in this city, but you will be missed and I personally want to thank you for your dedicated service to the City of Providence. 65 is the age limit, if it was 75 I know you would have stayed another 10 years. That is how dedicated you are to the City of Providence. The institutional knowledge is correct. We are losing some serious institutional knowledge in this city just by two people retiring.

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

"I already said my peace, but I think these two gentlemen deserve a standing ovation and a round of applause from everyone here. So, we can just congratulate them both. Thank you for all that you do. I just want to acknowledge Deputy Chief Kevin Lanni who is here. I see Lieutenant Brown and Captain Barros. I just wanted to acknowledge them as well.

AT EASE

RECONVENTION

ORDINANCE(S) SECOND READING

The Following Ordinances were in City Council December 7, 2023 Read and Passed the First Time and are Severally Returned for Passage the Second Time:

COUNCILMAN GONCALVES, COUNCILOR SANCHEZ, COUNCIL PRESIDENT MILLER, COUNCILWOMEN GRAVES, PETERSON, COUNCILMEN ESPINAL ND VARGAS

An Ordinance Amending Chapter 23 "Streets, Sidewalks and Public Places" of the Providence Code of Ordinances to add Article VIII "Green and Complete Streets" and Chapter 15 "Motor Vehicles and Traffic".

Section 1. Chapter 23, "Streets, Sidewalks and Public Places" Article VII, "Green and Complete Streets" is hereby amended as follows:

ARTICLE VIII. - GREEN AND COMPLETE STREETS

Sec. 23-191. - Vision and purpose.

Streets and sidewalks in the City of Providence carry not only people and goods, but also various utilities, including stormwater runoff. City streets also represent a sizeable portion of the city's overall land use and its publicly managed trees, and serve as windows into the city for visitors and residents alike. City streets and sidewalks serve people of all ages and abilities, while creating more mobility and independence for young people, seniors, and people with disabilities. They serve motorists and non-motorists, residents in wheelchairs, parents pushing strollers, kids biking and walking to school, and people who can't afford or don't want motor vehicles.

The city shall develop a safe, reliable, equitable, efficient, inviting, integrated and connected multimodal transportation system that will promote access, mobility and health of all kinds for all users and abutters, including people with mobility aids, and that will improve environmental quality and reduce polluted stormwater runoff. The goal of the city is to create a connected network of right-of-way facilities accommodating all modes of travel to the maximum practical extent and to promote the walkability and bikeability of the city's streets and sidewalks, along with good access to public transportation, beautification and shade from right-of-way trees, parks, schools, healthy food retail establishments, and responsible reduction and treatment of polluted stormwater.

Sec. 23-192. - Definitions.

Green and complete streets means streets that are designed and operated to enable safe equitable access for all users, in that pedestrians, bicyclists, motorists and public transportation users of all ages and abilities are able to safely move along and across a street, provide for visual pleasure, including exposure to natural elements, promote cooling via robust tree canopy, and improve environmental quality by providing for reduction, accommodation, and on-site pretreatment of stormwater prior to eventual release into local waterways and the Narragansett Bay as part of a comprehensive stormwater management system.

Significant construction or repair projects shall mean any project that changes the curb line, curb cuts, or traffic geometry, any project that includes restriping of traffic geometry, any removal of complete streets features, or any new construction or improvement of off-road bicycle paths or multi-use trails, that is located on any streets, paths, or intersections designated as needing improvements in the City's Great Streets Plan, any street categorized as an arterial or collector road, or any such construction or repair project within 300 feet of a school or City recreation center.

Environmental justice areas shall mean any areas of the city identified through a current local, state, or federal mapping effort and validated by residents of those areas to prioritize improvements to environmental sustainability and health such that no group of people bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental, and commercial operations or the execution of federal, state, and local programs and policies.

Vulnerable road users shall mean any person walking; person bicycling; police officer or emergency worker on duty when outside of a vehicle; road worker performing duties outside of a vehicle; person riding on or driving a wheelchair, motorized or not; person riding on a scooter, motorized or not; person using a skateboard, inline skate, or roller skates.

Sec. 23-193. - Scope of applicability.

- a) All publicly-owned transportation facilities in the public right-of-way including, but not limited to, streets and all other connecting pathways, as well as parking lots on publicly-owned land, shall be designed and constructed in conformance with the policy that users of all ages and abilities can travel safely and independently, residents and visitors experience pleasantly-designed urban streetscapes that incorporate greenery and shade trees, and stormwater is both reduced and treated on-site prior to entering the city's combined stormwater and wastewater conveyance system.
- b) The city shall make good faith efforts to foster partnerships with the State of Rhode Island and neighboring communities to develop facilities and accommodations that further the goals presented in both the Providence Great Streets Master Plan as well as the city's green and complete streets policy, as set forth in this Article, and continue such infrastructure beyond the city's borders.

- c) The city shall approach every transportation improvement and project phase as an opportunity to create safer, more accessible, and more equitable streets for all users that are more attractive and that better manage stormwater. The design of new, rehabilitated, restored, resurfaced, or reconstructed facilities shall prioritize the safety and wellbeing of vulnerable road users and those living in environmental justice areas, and should anticipate likely future demand for bicycling, walking, transit, and motorist use, beautification elements, mitigation of urban heat island effect and stormwater runoff through increased tree canopy and other green infrastructure, and should not preclude the provision of future improvements. These phases include, but are not limited to: planning, programming, design, right-of-way acquisition, construction, construction engineering, reconstruction, operation and maintenance. Other changes to transportation facilities on streets and rights-of-way, including capital improvements, re-channelization projects and major maintenance, must also be included.
- d) This Article shall apply to all persons and entities that apply for and receive permits from the Department of Public Works to perform construction, improvements and/or repairs on public roadways in the City, in accordance with Rules and Regulations promulgated by the Department of Public Works.
- e) The city shall utilize the performance measures as described in Section 23-173 to identify improvement projects to be included in the city's capital improvement plan and/or street pavement plan. The projects shall be identified based on their ability to address design issues on city-owned transportation facilities, such as improved safety and ease of use.
- f) All transportation infrastructure and street design projects in the city shall adhere to the requirements of this Article and Rhode Island General Law §24-16-2 titled "Complete Street Design."
- g) All projects initiated by the City Council through the use of Neighborhood Infrastructure Funds (NIF) and Community Development Block Grant (CDBG) funding shall be exempt from the requirements of this Article.

Sec. 23-194. - Green and Complete Streets Advisory Council.

- a) There is hereby created a Green and Complete Streets Advisory Council. The Advisory Council shall be comprised of the following members:
 - 1) The Director of Public Works or his/her designee who shall serve as a non-voting ex-officio member,
 - 2) the Director of Planning and Development or his/her designee who shall serve as a non-voting ex-officio member,
 - 3) the Commissioner of Public Safety or his/her designee who shall serve as a non-voting ex-officio member,
 - 4) the Director of the Office of Sustainability or his/her designee who shall serve as a non-voting ex-officio member,
 - 5) the City Forester or his/her designee who shall serve as a non-voting ex-officio member,
 - 6) three members appointed by the Mayor,
 - 7) four members appointed by the City Council,
 - 8) two alternate members, one appointed by the Mayor and one appointed by the City Council. Where a regular member is unable to serve, the first alternate member may vote in his/her absence; the second alternate shall vote if two regular members are unable to serve.

- b) All appointed members shall be residents or domiciliaries of the city and shall each serve for terms of two years. None of the appointed members shall be an elected officer or employee of the city. Vacancies shall be filled for the unexpired term. Members shall serve beyond the date of expiration of the term to which they are appointed unless reappointed or until a replacement is appointed. At the first meeting of the Advisory Council the voting members shall elect a chairperson by a simple majority vote.
- c) In appointing members to the Green and Complete Streets Advisory Council, the Mayor and City Council shall give due consideration to appointing members with expertise in the following areas: civil engineering, architecture, city planning, and environmental sustainability. In addition to the above described areas of expertise, the Mayor and City Council shall also give due consideration to appoint members who represent the diverse communities of the City.
- d) The Green and Complete Streets Advisory Council shall include at least one representative of the aging community and a minimum of one member representing the disability community. One of the representatives mentioned in this subsection shall be appointed by the Mayor and one shall be appointed by the City Council such that each community identified in this subsection is represented.
- e) All meetings of the Green and Complete Streets Advisory Council shall be subject to the provisions of the Rhode Island Open Meetings Act.
- f) The Department of Planning and Development shall staff the Green & Complete Streets Advisory Council, with the Department of the City Clerk providing administrative support.
- g) A quorum of the Green & Complete Streets Advisory Council shall be at least three (3) voting members.

Sec. 23-195. - Implementation.

- a) The city shall follow accepted or adopted design standards and use the best and latest design standards available. These standards include, but are not limited to Designing Walkable Urban Thoroughfares: A Context Sensitive Approach, NACTO's Urban Street Design Guide, and the Rhode Island Department of Environmental Management's Low Impact Design (LID) standards as reflected in its Stormwater Design Manual (2015) and LID Guide (2011). Links to these design standards shall be made publicly available on the city's website. In recognition of context sensitivity, public input and the needs of many users, a flexible, innovative and balanced approach that follows other appropriate design standards may be considered, provided that it provides a comparable level of safety for all users.
- b) All significant construction or repair projects subject to this Article shall be presented to the Green and Complete Streets Advisory Council by the sponsoring public agency for review during both the project's initial scoping phase and preliminary design phase.
 - 1) The Advisory Council's role in reviewing projects shall be advisory only.
 - 2) As part of its review, the Advisory Council members shall consider the project's level of compliance with this Article, and whether it implements the elements of the City's Great Streets Plan and other planning and policy documents adopted by the city, where applicable.
 - 3) The sponsoring public agency shall supply the Green and Complete Streets Advisory Council with all documents and plans at least fourteen (14) calendar days in advance of the regularly scheduled Advisory Council meeting at which the project is intended to be reviewed. Documents and plans shall be submitted to the staff of the Advisory Council in an electronic format and all submissions shall be accompanied by all documentation reasonably necessary to evaluate the project.

- 4) Once documents and plans for a project have been received by the Advisory Council, the Advisory Council shall either review the project or decline to review the project within forty-five (45) calendar days of receipt of the documents and plans. Failure of the Advisory Council to act within the prescribed period shall constitute a declination to review the project and a letter documenting this decline shall be issued from the staff of the Advisory Council to the Director of the Department of Public Works.
 - 5) All decisions relating to recommendations regarding projects by the Advisory Council shall be made available in writing to the Director of Department of Public Works and the Director of Planning and Development no more than twenty-one (21) calendar days from the date of the Advisory Council meeting at which the decision was made.
 - 6) The Director of Public Works shall document and communicate to staff for the Advisory Council the reasons that a project will deviate from the Advisory Council's written recommendations.
- c) Traffic calming improvements shall be evaluated as follows:
- 1) The Traffic Engineer shall conduct traffic studies each month, prioritizing obtaining traffic data on:
 - i) Streets with the most collisions in the preceding three 3 years that have not yet been studied by the Traffic Engineer, especially those with high levels of collisions involving people walking or bicycling,
 - ii) Streets included in the Great Streets Plan,
 - iii) Streets with at least two individuals requesting for traffic calming improvements,
 - iv) Streets the city plans to resurface within the next twelve months,
 - v) Streets throughout the city, such that each Ward contains at least one street studied for traffic calming improvements every six months.
 - 2) Based on the conducted studies, streets that are found to exceed at least one of the following quantitative thresholds shall automatically and immediately be granted preliminary approval by the Traffic Engineer for traffic calming improvements:
 - i) 15% of motor vehicles traveling faster than 30 mph over the study period,
 - ii) 20% of motor vehicles traveling faster than 35 mph for consecutive two hour periods on two days within the study period,
 - iii) 10% of motor vehicles traveling faster than 20 mph over the study period on a street narrower than 18 feet,
 - iv) 3,000 motor vehicles average daily traffic on a local road,
 - 3) The Green and Complete Streets Advisory Council may recommend that additional streets be granted preliminary approval for traffic calming improvements by the Traffic Engineer. Streets that are eligible for this discussion must meet one of the following quantitative thresholds:
 - i) 5% of motor vehicles traveling faster than 30 mph over the study period on a local or collector road
 - ii) 2000 motor vehicles average daily traffic on a local or collector road
 - iii) 50 collisions per million vehicle miles over a 3 year period
 - iv) 20 persons injured per million vehicle miles over a 3 year period
 - 4) All streets receiving preliminary approval for traffic calming improvements shall be prioritized for installation first by the number of injuries recorded over a three year period and then by their 95th percentile speeds.

- 5) In consultation with staff from the Police Department, Fire Department, Department of Planning and Development, and the City Council, the Traffic Engineer shall evaluate the most appropriate design for improvement. This design must be completed within six months of the Advisory Council's recommendation, unless the Advisory Council shall issue a waiver of the six month period.
 - 6) The Director of Planning and Development shall review for final approval plans prepared by the Traffic Engineer for streets preliminarily approved for traffic calming improvements.
 - 7) The Department of Public Works shall install traffic calming improvements upon final approval in the prioritized order determined in subsection (5).
 - 8) During the three (3) months following installation of traffic calming improvements, the Traffic Engineer shall conduct a second traffic study for each installed location to evaluate the effectiveness of the improvements. If this traffic study still qualifies the location for preliminary approval under subsections (2) or (3), additional improvements shall be evaluated by the Traffic Engineer according to the above process.
 - 9) All Advisory Opinions rendered by the Advisory Council shall be published on the City's website within fourteen (14) calendar days of issuance.
- d) The Green and Complete Streets Advisory Council shall review on an annual basis all existing plans, manuals, checklists, decision-trees, rules, regulations, and programs of city departments as appropriate (including, but not limited to any short-term, medium-term, and long-term capital plans) for compliance with green and complete streets principles. The Advisory Council shall annually provide a written report to the City Council and Administration outlining all suggested changes to such land use policies, zoning ordinances, etc. that will better align with green and complete streets principals.
 - e) The Green and Complete Streets Advisory Council shall review all current street and sidewalk design standards to ensure that they reflect the best available design standards and guidelines, and effectively implement green and complete streets, where feasible.
 - f) The Green and Complete Streets Advisory Council shall ensure equitable and inclusive community engagement for all project phases from planning to implementation.
 - g) When available, the city shall make good faith efforts to encourage staff professional development and training on non-motorized transportation issues and best practices of right-of-way green infrastructure through attending conferences, classes, seminars, and workshops.
 - h) City staff shall make good faith efforts to identify all current and potential future sources of funding for street improvements and recommend improvements to the project selection criteria to support the green and complete streets projects.
 - i) The city shall create plans and set goals to ensure the successful implementation of this Article in environmental justice areas and shall prioritize environmental justice areas for improvements.
 - j) Projects developed under this Article shall improve ease of travel, comfort and safety for people with disabilities and the elderly.
 - k) The city shall promote inter-departmental project coordination among city departments with an interest in the activities that occur within the public right-of-way in order to better use fiscal resources. All City boards and commissions may seek the advisory opinion of the Green and Complete Streets Advisory Council on matters pertinent to this Article. The act of seeking an advisory opinion shall not prevent a board or commission in fulfilling obligations outlined by law, including compliance with review timelines.
 - l) The city shall make good faith efforts to include an educational component to ensure that all users of the transportation system understand and can safely utilize green and complete streets project elements.

- m) The city shall make good faith efforts to encourage improved access to public transit, parks, schools, and healthy food retail establishments, in all development plans reviewed and approved by the city.

Sec. 23-196. - Exceptions.

- a) Applications for waivers or exceptions shall be reviewed and approved by the Green and Complete Streets Advisory Council based on the following criteria:
 - 1) An affected roadway prohibits, by law, use by specified users, in which case a greater effort shall be made to accommodate those specified users elsewhere, including on roadways that cross, run parallel to, or otherwise intersect with the affected roadway;
 - 2) The activities are ordinary maintenance activities designed to keep assets in serviceable condition (including, but not limited to, mowing, cleaning, sweeping, spot repair and surface treatments such as chip seal or interim measures);
 - 3) The Director of Planning and Development issues a recommendation that the application of this article is unnecessary or unduly cost prohibitive, based upon all reasonable alternatives commensurate to the project scope of work being exhausted and documented, in which case a greater effort shall be made to accommodate those specified users elsewhere, including on roadways that cross or otherwise intersect with the affected roadway.
 - 4) Other available means or factors indicate an absence of need, including future need.
- b) Notwithstanding the provisions of subsection (a), the Commissioner of Public Safety may issue a waiver or an exception in the form of an executive order if application of this Article would be contrary to public safety, with notice given to the Green and Complete Streets Advisory Council within two business days from the date of the Commissioner's decision regarding said application.
- c) All documentation regarding any waiver or exception application shall be publicly available.
- d) All proposed exceptions must be mode-specific, specifying which Complete Streets principles should be exempted. Infeasibility of one mode of transportation should not exempt a project from incorporating other Complete Streets principles
- e) Significant changes to projects that had project plans reviewed by the Green and Complete Streets Advisory Council during the preliminary design phase must also utilize the waiver procedure in this section if the safety of the improvements would be diminished compared to the reviewed plans.

Sec. 23-197. - Performance measures and reporting.

A report shall be submitted annually to the City Council and placed on the city's website by the Director of Public Works and the Director of Planning. The annual report shall document the annual increase or decrease for each of the following.

- 1) Assessment of linear feet of sidewalk in need of repair or construction to be performed on an annual basis;
- 2) Replacement of non-ADA compliant curb ramps;
- 3) Number of intersection legs without crosswalks
- 4) Total miles of bike lanes;
- 5) Number of street trees;
- 6) Maintenance activities of existing green and complete streets facilities;

- 7) Number of traffic complaints and calming requests by street name;
- 8) Number and severity of traffic violations and crashes by mode;
- 9) Total dollar amount spent on green and complete streets activities;
- 10) Number of new stormwater management improvements in the city;
- 11) Number of traffic calming devices installed, as well as those evaluated and approved for installation;
- 12) Number of crosswalk and intersection improvements installed;
- 13) Number of people biking on a representative sample of streets and trails;
- 14) Number of people riding Rhode Island Public Transit Authority buses within the City;
- 15) Number of applications and waivers requested and granted, along with the justification for any waivers granted;
- 16) Opportunities for community stakeholders in environmental justice areas to influence how these improvements are prioritized;
- 17) Number of Green and Complete Streets improvements made in environmental justice areas.

Section 2. Chapter 15, “Motor Vehicles and Traffic” is hereby amended as follows:

Sec. 15-2. - Penalties for traffic violations.

(a) *Generally.* The general penalties provided for by section 1-10 of this Code of Ordinances shall apply to violations of this chapter or any regulations made there under except that any person electing to appear before the clerk of court, or mailing the same, in lieu of a personal appearance before the Providence Municipal Court and admitting the violation charged, shall be punished by a fine as hereinafter respectively set forth:

Offense fine

- Parking from 2:00 a.m. to 5:00 a.m.* \$20.00
- Overtime parking from 5:00 a.m. to 2:00 a.m. 20.00
- Parking without permit in a residential zone 15.00
- Parking at expired meter 25.00
- Parking during an emergency 100.00
- Parking so as to obstruct the flow of traffic 75.00
- Parking in prohibited area (no parking) 30.00
- Parking within eight (8) feet of fire hydrant 100.00
- Parking in loading zone 30.00
- Parking in taxi stand 30.00
- Parking within thirty-five (35) feet of corner 30.00
- Parking to obstruct driveway 30.00
- Parking within twelve (12) inches of a driveway as measured by a line running along the curb in either direction 30.00
- Parking on sidewalk 100.00
- Parking in a bicycle lane 100.00**
- Standing in prohibited areas 30.00
- Double parking (more than three (3) feet from curb) 30.00
- Parking in marked bus stop 100.00**
- Parking in excess of one (1) foot, but not more than three (3) feet from curb 30.00
- Parking with left wheels to curb 30.00
- Angle parking 30.00
- Parking on marked crosswalk or within intersection 100.00**

Stopping bus away from curb 30.00

Parking in a tow zone 100.00

Violation of moving vehicle traffic regulation 75.00

* Except in those areas designated as resident permit parking areas (which allow for residential permit parking only between the hours of 2:00 a.m. and 5:00 a.m.).

** The city shall contribute any increase in revenue generated from the increase in fine amounts to smart growth initiatives.

In the event any of the foregoing stated fines are not paid or a plea of not guilty to the citation is entered prior to the fourteenth day after date of violation, said fines shall be doubled.

In the event any of the foregoing stated fines are not paid or a plea of not guilty to the citation is entered subsequent to the fourteenth day and prior to the twenty-eighth day after date of violations, said fines shall be tripled.

(b) *Meter violations.* Where the violation occurs in a metered space it shall be a separate violation for vehicles remained parked in said space for each consecutive unit of time beyond the first unit of time, up to a maximum of two (2) violations.

Section 3. This ordinance shall take effect upon passage.

COUNCILMAN TAYLOR Moves to Waive the Reading of item 3 and Pass for the Second Time on a Roll Call Vote, Seconded by COUNCILWOMAN HARRIS.

RESULT:	READ/PASSED SECOND TIME [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilwoman Harris
AYES:	Council President Miller, Councilor AnderBois, Councilwoman Anthony, Councilmen Espinal, Goncalves, Councilwomen Graves, Harris, Peterson, Councilor Pichardo, Councilwoman Ryan, Councilor Sanchez, Councilman Taylor, Councilwoman Vargas and Councilman Vargas – 14.
ABSENT:	Councilor Roias – 1.

The Motion for Passage the Second Time is Sustained.

**COUNCILMEN ESPINAL, GONCALVES, COUNCILWOMAN GRAVES,
COUNCIL PRESIDENT MILLER AND COUNCILMAN VARGAS**

An Ordinance in Amendment of Chapter 14, Article IX of the Code of Ordinances of the City of Providence, Entitled: "Vendors".

**COUNCILMAN TAYLOR Moves to Waive the Reading of item 4 and Lay on the Table,
Seconded by COUNCILWOMAN HARRIS.**

RESULT:	LAI D ON TABLE [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilwoman Harris
AYES:	Council President Miller, Councilor AnderBois, Councilwoman Anthony, Councilmen Espinal, Goncalves, Councilwomen Graves, Harris, Peterson, Councilor Pichardo, Councilwoman Ryan, Councilor Sanchez, Councilman Taylor, Councilwoman Vargas and Councilman Vargas – 14.
ABSENT:	Councilor Roias – 1.

**COUNCILWOMAN RYAN, COUNCILMAN GONCALVES, COUNCIL
PRESIDENT MILLER, COUNCILOR ANDERBOIS, COUNCILMAN ESPINAL,
COUNCILWOMEN GRAVES, HARRIS, PETERSON, COUNCILOR ROIAS
AND COUNCILMAN VARGAS**

An Ordinance Amending Chapter 4, "Animals and Fowl", Article I, "In General", Sec. 4-13 "Reserved" of the Providence Code of Ordinances.

Section 1. Chapter 4, "Animals and Fowl", Article I, "In General", Sec. 4-13 is hereby amended to read as follows:

§ 4-13. Traveling Circuses Prohibited.

(1) Definitions.

- a) "Animal" means every living creature except a human being.
- b) "Wild animal" means indigenous, non-domesticated creatures living freely in the wild.
- c) "Exotic animal" means a wild animal that is that is from a different continent.
- d) "Educational exhibits" means the presentation or display of an educational material about the animal. All exhibits hosted or created by the Roger Williams Park Zoo are educational exhibits.

(2) Traveling Circuses prohibited.

- a) It shall be unlawful for any person or organization to conduct, sponsor, walk, exhibit, or operate a traveling show or circus that includes live wild or exotic animals on any public or private land within the City of Providence.
- b) This section shall not apply to domestic animals including, but not limited to, dogs, cats, horses, donkeys, and farm animals.
- c) This section shall not apply to educational exhibits.
- d) Violations of this section shall result in a fine not less than \$50.00, and not more than \$500.00, per animal. Each day the violation continues shall constitute a separate and additional violation.

Section 2. This ordinance shall be effective upon passage.

**COUNCILMAN TAYLOR, COUNCILOR ANDERBOIS, COUNCILMAN
GONCALVES, COUNCIL PRESIDENT MILLER, COUNCILWOMEN
GRAVES, PETERSON, COUNCILMEN ESPINAL AND VARGAS**

An Ordinance Amending Chapter 15 "Motor Vehicles and Traffic", Section 15-11, "Residential Parking/Standing of Certain Commercial Vehicles".

Chapter 15, "Motor Vehicles and Traffic", Section 15-11 "Residential parking/standing of certain commercial vehicles" is hereby amended as follows:

- (a) For the purpose of this article, a commercial vehicle shall be defined as any vehicle in excess of twenty (20) feet in length and/or any vehicle over six thousand five hundred (6,500) pounds gross vehicle weight.
- (b) No commercial vehicle shall park or stand, unless engaged in the loading or off-loading of materials, for more than one (1) hour, on any part of any street, way, highway, road, or parkway under the control of the City.
- (c) No vehicle shall park off-street in any front-yard area of any dwelling house unless the same shall have been approved for the parking of such vehicles by the appropriate municipal agency.
- (d) No operator of any vehicle shall, while in said vehicle, cross the sidewalk portion of the roadway except at permitted driveway openings to gain access to off-street parking.
- (e) Any person found in violation of any of these sections shall be subject to the penalties enumerated in section 1-10 herein, but in no case shall any person found in violation hereof be fined less than fifty dollars (\$50.00).

- (f) (1) Any commercial vehicle otherwise in violation of this section and having an engine idling shall be deemed to be a hazard to the quality of life.
- (2) Any commercial vehicle otherwise in violation of this section and in any way limiting, restricting or blocking the access of public safety vehicles in the course of their operation shall be deemed to be a hazard to public safety.
- (3) Any commercial vehicle which, under this section, is deemed to be a hazard to the quality of life or a hazard to public safety shall be towed and the person violating subsection (f)(1) or (2) of this section shall be subject to a fine of not less than one hundred dollars (\$100.00).

**COUNCILMAN VARGAS, COUNCILWOMEN GRAVES, PETERSON,
COUNCIL PRESIDENT MILLER, COUNCILWOMAN ANTHONY,
COUNCILMEN ESPINAL, GONCALVES, COUNCILORS PICHARDO, ROIAS
AND COUNCILWOMAN HARRIS**

An Ordinance Amending Chapter 12, "Health and Sanitation", Article V "Rat and Vermin Control" Section 12-113 "Buildings to be Rat Eradicated prior to demolition" and Chapter 5 "Buildings and Structural Appurtenances", Article 1 "In General" Section 5-8 "Notice of Demolition Permit Issuance" of the Code of Ordinances of the City of Providence.

SECTION 1. Article V. Chapter 12 "HEALTH AND SANITATION" is hereby amended as follows:

Sec. 12-113. - Buildings or property to be rat eradicated prior to demolition or grading.

No building, structure or parcel shall hereafter be razed, demolished or graded, in accordance with Section 5 of this code, unless the owner of the site provides an invoice for rat abatement by a licensed pest control company no more than 30 days prior to the commencement of said work.

SECTION 2. Article 1. Chapter 5 "BUILDINGS AND STRUCTURAL APPURTENANCES" is hereby amended as follows:

Sec. 5-8. - Notice of demolition or grading permit issuance.

- (a) Upon the application of a permit for the complete removal of an existing structure or grading of a parcel, the building official shall provide written notice to the city council representative of the ward in which the property is located. Said notice shall be delivered to the city council representative either by the city sergeant or through electronic communication.

- (b) Any applicant who applies for a permit for the complete removal of an existing structure or grading of a parcel through the building official, shall post at the property a notice alerting the public of the pending demolition for seven (7) days prior to the commencement of said demolition.
- (c) No permit shall be issued for the complete removal of an existing structure or grading of a parcel unless the owner of the site provides an invoice for rat abatement by a licensed pest control company no more than 30 days prior to the commencement of said demolition.
- (d) The building official shall have the authority to exempt an applicant from the requirements of subsection (b) upon a finding that the existing structure poses a threat to the public health and safety and must be removed immediately.
- (e) Any applicant found to be in violation of subsection (b) shall be subject to a penalty not to exceed five hundred dollars (\$500.00).

COUNCILMAN TAYLOR Moves to Waive the Reading of items 5 through 7 and Pass for the Second Time on a Roll Call Vote, Seconded by COUNCILWOMAN HARRIS.

RESULT:	READ/PASSED SECOND TIME [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilwoman Harris
AYES:	Council President Miller, Councilor AnderBois, Councilwoman Anthony, Councilmen Espinal, Goncalves, Councilwomen Graves, Harris, Peterson, Councilor Pichardo, Councilwoman Ryan, Councilor Sanchez, Councilman Taylor, Councilwoman Vargas and Councilman Vargas – 14.
ABSENT:	Councilor Roias – 1.

The Motion for Passage the Second Time is Sustained.

PRESENTATION OF RESOLUTION

COUNCILMAN VARGAS

Resolution Requesting to cancel or abate, in part, the tangible taxes assessed upon Joyeria Ricky (272 Webster Avenue) in the amount of Eighteen Thousand Five Hundred Twenty Six Dollars and Forty Cents (\$18,526.40).

COUNCILMAN TAYLOR Moves to Waive the Reading of item 8, Seconded by COUNCILWOMAN HARRIS.

COUNCIL PRESIDENT MILLER Refers item 10 to the Committee on Finance.

COUNCILWOMAN RYAN abstains on voting on this matter.

RESULT:	REFERRED
TO:	Committee on Finance

REPORT(S) FROM COMMITTEE(S)

COMMITTEE ON FINANCE COUNCILWOMAN HELEN D. ANTHONY, Chairwoman

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

COUNCIL PRESIDENT MILLER AND COUNCILMAN VARGAS, (By Request):

An Ordinance Approving the Capital Improvement Plan for the Fiscal Years 2024 through 2028.

COUNCILMAN TAYLOR Moves to Waive the Reading of item 9 and Pass for the First Time on a Roll Call Vote, Seconded by COUNCILWOMAN HARRIS.

RESULT:	READ/PASSED FOR THE FIRST TIME [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilwoman Harris
AYES:	Council President Miller, Councilor AnderBois, Councilwoman Anthony, Councilmen Espinal, Goncalves, Councilwomen Graves, Harris, Peterson, Councilor Pichardo, Councilwoman Ryan, Councilor Sanchez, Councilman Taylor, Councilwoman Vargas and Councilman Vargas – 14.
ABSENT:	Councilor Roias – 1.

The Motion for Passage the First Time is Sustained.

Transmits the Following Without Recommendation:

Communication from Susan DeRita, Chairwoman, Providence External Review Authority, dated November 7, 2023, that in accordance with the City of Providence Ordinance Chapter 18½, Section 2, voted affirmatively to recommend the re-appointment of Mr. Ferenc Karoly, Esquire, as the Executive Director of PERA for an additional 2 years starting January 1, 2024 and expiring on December 31, 2025 and submits the same for approval by the City Council.

COUNCILMAN TAYLOR Moves to Waive the Reading of item 10 and Receive and Approve, Seconded by COUNCILWOMAN HARRIS.

RESULT:	RECEIVED AND APPROVED [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilwoman Harris
AYES:	Council President Miller, Councilor AnderBois, Councilwoman Anthony, Councilmen Espinal, Goncalves, Councilwomen Graves, Peterson, Councilor Pichardo, Councilwoman Ryan, Councilor Sanchez, Councilman Taylor, Councilwoman Vargas and Councilman Vargas – 13.
ABSTAIN:	Councilwoman Harris – 1.
ABSENT:	Councilor Roias – 1.

**COMMITTEE ON URBAN REDEVELOPMENT,
RENEWAL AND PLANNING
Councilwoman Mary Kay Harris, Chairwoman**

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

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

Resolution Establishing the "Rose Marie Russell" Ceremonial Designation along Comstock Avenue located in Ward 11.

WHEREAS, Rose Marie Russell was a distinguished resident of the city of Providence, having relocated from Houston, Texas over 60 years ago; and

WHEREAS, Rose Russell was the beloved wife of the late David Russell Sr. and the proud matriarch of a family of 10 children. She leaves behind a legacy that extends to grandchildren and great-great-grandchildren; and

WHEREAS, Rose Russell was an exceptional member of our community, embodying the values of faith, love, and resilience and serving as a pillar of strength and guidance for her neighbors. Her contributions were immeasurable; and

WHEREAS, Rose Russell's home on Comstock Ave radiated warmth and wisdom. She graciously shared her teachings of faith, love, and courage with all who entered; and

WHEREAS, Rose Russell was dedicated to her community, advocating for her neighbors and fostering unity among residents; and

WHEREAS, Rose Russell embodied kindness, courage, and unwavering faith, leaving an indelible imprint on the hearts of all who had the privilege of knowing her; and

WHEREAS, Renaming Comstock Avenue as "Rose Marie Russell Avenue" is a powerful tribute to the lasting impact that Rose Russell had on her community. Her selfless commitment to serving others and enriching the lives of those around her serves as a shining example for generations to come; and

WHEREAS, This symbolic recognition reflects the profound impact Rose Russell had on the Ward 11 community and the city as a whole. It serves as a reminder that her memory will always be cherished and celebrated.

NOW, THEREFORE, BE IT RESOLVED, That the Providence City Council hereby request that the Department of Public Works and the Traffic Engineer work to manufacture, install, and maintain honorary signs at prominent and appropriate locations, which shall reflect the "Rose Marie Russell Avenue" ceremonial designation.

BE IT FURTHER RESOLVED, That upon passage, copies of this resolution be transmitted to the Honorable Mayor of Providence, the Director of the Department of Public Works, the Traffic Engineer, Rose Marie Russell's family, and the Shekinah Family Worship Center.

COUNCILWOMAN TAYLOR Moves to Waive the Reading of item 11 and Pass on a Voice Vote and have the Clerk read it into the record, Seconded by COUNCILWOMAN HARRIS.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilwoman Harris
AYES:	Council President Miller, Councilor AnderBois, Councilwoman Anthony, Councilmen Espinal, Goncalves, Councilwomen Graves, Harris, Peterson, Councilor Pichardo, Councilwoman Ryan, Councilor Sanchez, Councilman Taylor, Councilwoman Vargas and Councilman Vargas – 14.
ABSENT:	Councilor Roias – 1.

The Motion for Passage is Sustained.

CONVENTION

There being no further business, on Motion of **COUNCILMAN TAYLOR**, Seconded by **COUNCILWOMAN HARRIS**, it is voted to adjourn in memory of Mac Makor 6:53 o'clock P.M., to meet again **THURSDAY, JANUARY 4, 2024 at 6:00 o'clock P.M.**



TINA L. MASTROIANNI
CITY CLERK

This meeting was live streamed and the recording is available on our YouTube Channel: <https://www.youtube.com/watch?v=H59-oCYnWSU>

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