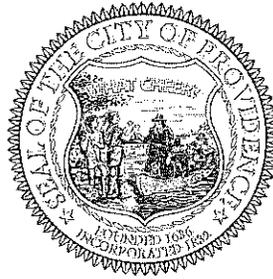


**CITY OF PROVIDENCE
RHODE ISLAND**



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 28 City Council Special Meeting, Monday, July 24, 2017, 5:30 o'clock P.M.

PRESIDING

ACTING COUNCIL PRESIDENT

SABINA MATOS

CALL TO ORDER

**PRESENT: ACTING COUNCIL PRESIDENT MATOS,
COUNCILWOMAN CASTILLO, COUNCILMAN CORREIA,
COUNCILWOMAN HARRIS, COUNCILMEN IGLIOZZI, JENNINGS, NARDUCCI,
PRINCIPE, COUNCILWOMAN RYAN, COUNCILMEN SALVATORE, YURDIN
AND ZURIER – 12.**

ABSENT: COUNCILMEN APONTE AND HASSETT – 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
SEP 07 2017**
APPROVED:
Lori L. Hagen
CLERK

ROLL CALL

INVOCATION

The Invocation is given by **COUNCILMAN BRYAN PRINCIPE**.

"Dear Lord, please bless this chamber, the members of this body and all who enter here, all the residents of our city and the state, and the people of our country, and may we all have a blessed, happy and safe summer season. To this we say Amen."

PLEDGE OF ALLEGIANCE

COUNCILMAN JOHN J. IGLIOZZI 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

ACTING COUNCIL PRESIDENT SABINA MATOS

Request filed with the City Clerk, July 21, 2017, Requesting a Special Meeting of the City Council to be Called on the 24th day of July, 2017 at 5:30 o'clock P.M., in the City Council Chamber, Third Floor, City Hall.

ACTING COUNCIL PRESIDENT MATOS Receives the foregoing Communication.

RESULT:	RECEIVED
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WARRANT FOR SPECIAL MEETING

Warrant of the City Clerk to David Tassoni, City Sergeant, with Return Certification that he has notified each Member of the City Council of the Special Meeting Called for the 24th day of July, 2017 at 5:30 o'clock P.M., in the City Council Chamber, Third Floor, City Hall.

ACTING COUNCIL PRESIDENT MATOS Receives the foregoing Warrant.

RESULT:	RECEIVED
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ORDINANCE SECOND READING

The Following Ordinance was in City Council July 20, 2017, Read and Passed the First Time and is Returned for Passage the Second Time:

COUNCILMAN IGLIOZZI, (By Request):

An Ordinance Authorizing the City Council to implement the Capital Improvement Plan.

WHEREAS, The City of Providence desires to regularly undertake the design, construction, repair, rehabilitation, replacement and improvement of infrastructure in the City's neighborhoods, including, but not limited to, streets, sidewalks, public parks, recreation facilities, bridges, sewers, and City buildings in the interest of public health and safety; and

WHEREAS, Pursuant to the Providence Home Rule Charter, Article VIII, Section 812, at the same time that the mayor submits the operating budget to the city council, the mayor based upon estimates and recommendations of the city plan commission as provided for in Article X, section 1013, shall prepare and submit to the city council a capital budget for the ensuing fiscal year and the next four (4) fiscal years thereafter; and

WHEREAS, The capital budget will be referred to as the Capital Improvement Plan with the purpose of facilitating and coordinating future capital improvements within the City's current and future financial framework; and

WHEREAS, Said Capital Improvement Plan shall embody the mayor's estimates of cost and recommendations of means of financing each project contained with the capital improvement program, provided that no project shall be included in said budget which has not been favorably considered by the city council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PROVIDENCE:

SECTION 1. The City of Providence through the City Council will consider the recommendations of the City Plan Commission as provided for in Article X, section 1013, through the draft Capital Improvement Plan submitted on January 12, 2017 and

In acting on the Capital Improvement Plan, the City Council has worked with the Administration to modify the projects described therein and the proposed methods of financing the same, including but not limited to, traditional bond issuance.

The City Council shall identify funding mechanisms for the Capital Improvement Plan to facilitate planned improvements to Providence's public infrastructure.

Attached is an amended Capital Improvement Plan, (Appendix A) dated July 13, 2017, that shall be incorporated into this ordinance.

The first two years of the amended Capital Improvement Plan, dated July 13, 2017, shall be funded by a forty-five million (\$45,000,000) bond issuance, the 2016 Lighting Lease, the 2018 Master Lease and the FY2018 and FY2019 general fund budgets.

This ordinance is an affirmative action of the City Council of the City of Providence toward capital improvements in the City and can only be amended by City Council.

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

Read and Passed the Second Time, on Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILMAN CORREIA, by the following Roll Call Vote:

RESULT:	READ/PASSED SECOND TIME [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Acting Council President Matos, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Iglizzi, Jennings, Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 12.
ABSENT:	Councilmen Aponte and Hassett – 2.

The Motion for Passage the Second Time is Sustained.

PRESENTATION OF RESOLUTIONS

COUNCILWOMAN RYAN

Resolution Requesting Rhode Island College provide the city with an updated Institutional Master Plan and submit it to the City Plan Commission for review.

WHEREAS, Many residents of the area around Rhode Island College (RIC) have raised concerns about traffic into residential neighborhoods and other issues emanating from the campus; and

WHEREAS, RIC's large footprint in the Elmhurst and Mount Pleasant neighborhoods and the great number of vehicles going to and from the campus present many traffic problems and quality of life concerns for those who live near RIC; and

WHEREAS, In order to answer questions from constituents and to better understand the many issues related to the RIC campus, RIC has been repeatedly asked to provide the City with an updated institutional master plan, but have yet to do so; and

WHEREAS, Of particular concern is a proposed parking lot expansion abutting the Sheffield Avenue gate and the residential areas of Hooker Street and Basswood Avenue; and

WHEREAS, This proposed parking lot expansion would include approximately 150 new surface level parking spaces; and

WHEREAS, The existing Institutional Master Plan for RIC does not identify the site of the proposed parking expansion as a location for future parking, but rather states that the college's long term plan for the residential precincts is to "enhance open space"; and

WHEREAS, Section 1910.D of the Providence Zoning Ordinance states that all Institutional Master Plans must include "A parking plan that shows the location of all institutional parking facilities on and off the campus"; and

WHEREAS, Section 1910.E of the Providence Zoning Ordinance states that new parking facilities are not consistent with an approved Institutional Master Plan, unless they contain ten or fewer parking spaces; and

WHEREAS, The proposed new parking lot appears to violate both Section 1910.D and Section 1910.E of the Providence Zoning Ordinance, as the RIC Institutional Master Plan does not identify the location of the proposed parking lot as an institutional parking facility and the new lot would have more than ten parking spaces; and

WHEREAS, Moreover, the addition of a new parking lot on the RIC campus will have many negative environmental ramifications, including the creation of a new asphalt hot spot and detracting from the City's storm water management efforts; and

WHEREAS, The Providence Code of Ordinances states that the purpose of Institutional Master Plans is "to promote the orderly growth and development of health care institutions and university or college educational facilities while preserving neighborhood character, historic resources, and consistency with the city's comprehensive plan and adopted land use policies"; and

WHEREAS, Providence's Comprehensive Plan, approved by the State in 2014, "encourage[s] the redevelopment of and reduction of surface parking lots" and "discourage[s] the creation of new surface parking lots as they are a detriment to the city's economic future and its built environment"; and

WHEREAS, The proposed parking expansion is inconsistent with the City's Comprehensive Plan and therefore violates provisions of the Code of Ordinances and runs contrary to the purpose Institutional Master Plans; and

WHEREAS, Given that the State of Rhode Island is responsible for approving the comprehensive plans of cities and towns, it is especially problematic to see a State institution such as RIC seemingly attempting to circumvent the City's Comprehensive Plan and the proper vetting of its Institutional Master Plan; and

WHEREAS, In light of these problems and concerns, a thorough vetting of RIC's institutional master plan is critical at this time; and

WHEREAS, The City Council of the City of Providence has an obligation to ensure that the laws of the City are properly enforced and that the quality of life of in our neighborhoods is protected and enhanced.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence does hereby request that Rhode Island College provide the City Council with an accurate and up-to-date Institutional Master Plan within ninety (90) days.

BE IT FURTHER RESOLVED, That the City Council of the City of Providence does hereby request that Rhode Island College submit its Institutional Master Plan to the City Plan Commission for review and complete all the public participation requirements, including neighborhood meetings, required in accordance with Section 1910 of the Zoning Ordinance.

BE IT FURTHER RESOLVED, That the City Council of the City of Providence does hereby request that Rhode Island College cease any and all construction not approved in their existing Institutional Master Plan until and unless a new Institutional Master Plan is publicly vetted and approved by the City Plan Commission.

BE IT FURTHER RESOLVED, That, upon passage, copies of this resolution be sent to the Director of the Planning Department, the City Solicitor, the members of the City Plan Commission, and the President of Rhode Island College.

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

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Acting Council President Matos, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliazzi, Jennings, Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 12.
ABSENT:	Councilmen Aponte and Hassett – 2.

The Motion for Passage is Sustained.

COUNCILMAN YURDIN

Resolution Urging the City to Realign as Plaintiffs in the case of Conservation Law Foundation, Inc. v. Clear River Energy, LLC and Town of Johnston, Rhode Island.

ACTING COUNCIL PRESIDENT MATOS Refers the Resolution to the Special Committee on Women and Healthy Communities.

RESULT:	REFERRED
TO:	Special Committee on Women and Healthy Communities

REPORTS FROM COMMITTEE(S)

**COMMITTEE ON PUBLIC WORKS
COUNCILMAN MICHAEL J. CORREIA, Chairman**

Transmits the Following with Recommendation the Same be Approved:

Resolution Requesting to abandon a portion of Briggs Street.

RESOLVED, DECREED AND ORDERED:

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, R.I., P.W. Dept & Engineering Office, Street Line Section Plan No. 064853, dated November 28, 2016,"

VIZ:

BRIGGS STREET, (portions of), shown as cross-hatched area on accompanying plan and designated by the letters (A-B-C-D-A) having ceased to be useful to the public. Said Abandonment is specifically conditioned upon the following:

- (1) Petitioner shall grant any easements for utility access and maintenance, or required by the Department of Public Works and move any utilities if required;
- (2) Petitioner shall either grant an easement, satisfactory to the Petitioner, in favor of Verizon, which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or, in the alternative, should it be determined by the Petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation;

(3) Petitioner shall grant an easement in favor of National Grid, to cut, cap, and “abandon in place” the gas line currently existing within the proposed abandonment area. The Petitioner shall relocate all electrical facilities within the proposed abandonment area, and shall assume all costs associated with said relocation;

(4) Petitioner shall grant an easement in favor of Providence Water. The purpose of this easement is to maintain, construct, repair, etc. the existing water main and its appurtenances. No permanent construction, whatsoever, shall be allowed within the easement. The easement shall be at least 20-feet wide and centered on the main. The wording of said easement shall be subject to review by Providence Water as to form and content;

(5) Petitioner shall tender the amount of \$34,470.00 in legal tender U.S. to the City of Providence;

(6) Petitioner shall have a Class I survey prepared by a Professional Land Surveyor, properly licensed by the Board of Registration for Professional Land Surveyors, inasmuch as road abandonments constitute a boundary change pursuant to Informational Bulletin 2003.01 issued by said Board;

(7) The Petitioner shall apply for an administrative subdivision to merge the abandoned street area with their property;

(8) Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee on Public Works;

(9) The Petitioner shall comply with all conditions contained herein within sixty (60) days from the date of passage.

ORDERED, That the Traffic Engineer be and is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway," and it is further

ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

RESULT:	READ AND PASSED [11 TO 0]
MOVER:	Councilman Principe
SECONDER:	Councilman Correia
AYES:	Acting Council President Matos, Councilwomen Castillo, Harris, Councilmen Iglizzi, Jennings, Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore, Yurdin and Zurier – 11.
ABSENT:	Councilmen Aponte and Hassett – 2.
RECUSED:	Councilman Correia – 1.

The Motion for Passage is Sustained.

COMMITTEE ON FINANCE
COUNCILMAN JOHN J. IGLIOZZI, Chairman

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

COUNCILMAN IGLIOZZI, (By Request):

An Ordinance in Amendment of Chapter 15 of the Code of Ordinances of the City of Providence, Entitled: "Motor Vehicles and Traffic," to Modify Certain Sections Regarding Article X thereof, Entitled: "Automated Red Light Enforcement".

Read and Passed the First Time, on Motion of COUNCILMAN PRINCIPE, 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:	Acting Council President Matos, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Iglizzo, Jennings, Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore and Zurier – 11.
ABSENT:	Councilmen Aponte, Hassett and Yurdin – 3.

The Motion for Passage the First Time is Sustained.

Transmits the Following with Recommendation the Same be Approved:

COUNCILMAN APONTE, (By Request):

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

XEROX \$2,978.00 per month
(Public Property)

RESOLVED, That the Members of the Providence City Council hereby Authorize Approval of the following Contract Extension Award by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances.

XEROX \$2,978.00 per month
(Public Property)

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:	Acting Council President Matos, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliazzi, Jennings, Narducci, Principe, Councilwoman Ryan, Councilmen Salvatore and Zurier – 11.
ABSENT:	Councilmen Aponte, Hassett and Yurdin – 3.

The Motion for Passage is Sustained.

**SPECIAL COMMITTEE ON EDUCATION
COUNCILMAN BRYAN PRINCIPE, Chairman**

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

ACTING COUNCIL PRESIDENT MATOS

Resolution Calling for an Independent Investigation of Molestation Charges at Harry Kizirian Elementary School.

WHEREAS, On June 29th, James Duffy, a 53-year-old teacher at Harry Kizirian Elementary School, was arraigned in District Court on five counts of child molestation on three 11-year-old victims, all of whom were students at Kizirian Elementary; and *WHEREAS*, According to multiple new reports, Duffy was placed on leave on May 9th after children accused him of touching them inappropriately, but school officials failed to contact Providence police or the R.I. Department of Children, Youth and Families (DCYF) about these allegations; and

WHEREAS, Under Rhode Island General Laws § 40-11-3.3, “Any person who has reasonable cause to know or suspect that any child has been the victim of sexual abuse by an employee, agent, contractor, or volunteer of an educational program [...] shall, within twenty-four (24) hours, transfer that information to the department of children, youth and families”; and

WHEREAS, Despite this law, school officials did not contact DCYF in the seven weeks between when the school became aware of the accusations against Duffy and his arraignment; and

WHEREAS, It is a fundamental requirement of every adult in every school to ensure absolute safety for every child; and

WHEREAS, Providence’s families deserve to know what happened when school officials learned of these horrific, disturbing allegations; and

WHEREAS, The gravity of this situation demands the transparency of an independent investigation; and

WHEREAS, As the elected representatives of the people of Providence, the Providence City Council has a moral obligation to ensure the safety of its schoolchildren and to prevent situations like this from happening again.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence does hereby call for the Providence Police Department to conduct a thorough and prompt investigation of the incident in question into how officials at Harry Kizirian Elementary School handled the allegations of sexual misconduct against James Duffy.

BE IT FURTHER RESOLVED, That, upon passage, copies of this resolution be sent to Superintendent of the Providence Public Schools, the members of the Providence School Board, the principal of Harry Kizirian Elementary School, and the Mayor.

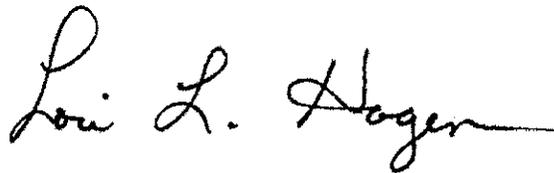
Read and Passed, on Motion of COUNCILMAN PRINCIPE, Seconded by COUNCILMAN CORREIA.

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

The Motion for Passage is Sustained.

CONVENTION

There being no further business, on Motion of **COUNCILMAN PRINCIPE**, Seconded by **COUNCILMAN CORREIA**, it is voted to adjourn at 6:54 o'clock P.M., to meet again **THURSDAY, SEPTEMBER 7, 2017 at 7:00 o'clock P.M.**



**LORI L. HAGEN
CITY CLERK**