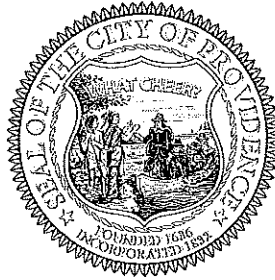


CITY OF PROVIDENCE RHODE ISLAND



CITY COUNCIL JOURNAL OF PROCEEDINGS

No. 4 City Council Regular Council Meeting, Thursday, February 18, 2021, 5:30 o'clock P.M.

PRESIDING COUNCIL PRESIDENT SABINA MATOS

CALL TO ORDER

PRESENT: COUNCIL PRESIDENT MATOS, COUNCILWOMEN ANTHONY, CASTILLO, COUNCILMEN ESPINAL, GONCALVES, COUNCILWOMAN HARRIS, COUNCILOR KERWIN, COUNCILOR MILLER, COUNCILWOMAN RYAN, COUNCILOR SALVATORE AND COUNCILMAN TAYLOR – 11.

ABSENT: COUNCILMEN CORREIA, IGLIOZZI, COUNCILWOMAN LAFORTUNE AND COUNCILMAN NARDUCCI – 4.

ALSO PRESENT: SHAWN SELLECK, CITY CLERK, TINA L. MASTROIANNI, FIRST DEPUTY CITY CLERK, SHERI A. PETRONIO, FIRST DEPUTY CITY CLERK, ANGELA HARRIS, SECOND DEPUTY CITY CLERK AND JEFFREY DANA, CITY SOLICITOR

(SUBSEQUENTLY, COUNCILMAN IGLIOZZI AND COUNCILWOMAN LAFORTUNE JOIN THE MEETING)

IN CITY COUNCIL
MAR 4 2021
APPROVED:
Shawn Selleck **CLERK**

INVOCATION

The Invocation is given by **COUNCILWOMAN RACHEL M. MILLER**.

"Dear colleagues, we have lost beloved family members, friends, community leaders, neighbors near and far over this last year, so I would like to invite you to join me in starting tonight's meeting with a moment of silence to hold their memory and to remember the ones we lost. Tonight, and all of the nights that we work together to deliberate may we be blessed with guidance and with grace. Amen."

PLEDGE OF ALLEGIANCE

COUNCILMAN PEDRO J. ESPINAL Leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

SOLICITOR'S STATEMENT ON REMOTE MEETINGS

Per Executive Order of the Governor of the State of Rhode Island the Council is permitted to hold this meeting via zoom.

APPOINTMENT BY HIS HONOR THE MAYOR

Communication from His Honor the Mayor dated February 5, 2021, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987 and 1980 Rhode Island Public Laws Chapter 84, he is this day appointing **Tiana Ochoa** of 61 Stella Street, Providence, Rhode Island 02909, as a member of the **Providence Tourism Council**, also known as the Convention Center Authority of the City of Providence, for a term to expire on April 30, 2022.

COUNCIL PRESIDENT MATOS Receive the foregoing Communication.

RESULT: RECEIVED

ORDINANCE(S) SECOND READING

The Following Ordinances were in City Council February 4, 2021, Read and Passed the First Time and are Severally Returned for Passage the Second Time:

COUNCILMAN IGLIOZZI, (By Request):

An Ordinance Establishing a Tax Stabilization Agreement for RCG Armory Park View, LLC., located at 35 Parade Street, 41 Parade Street, 12 Oak Street and 19 R Willow Street.

WHEREAS, RCG Armory Park View, LLC (“Project Owner”) is the owner of certain real property located in the City at 35 Parade Street, Assessor’s Plat 035, Lot 151, 41 Parade Street, Assessor’s Plat 035, Lot 151, 12 Oak Street, Assessor’s Plat 035, Lot 153, and 19 R Willow Street, Assessor’s Plat 035, Lot 504; and

WHEREAS, Project Owner has proposed and committed to repurposing the existing abandoned structure into a rehabilitated and also new residential structure that will bring new residents to the neighborhood; and

WHEREAS, Under article 13, section 5 of the Rhode Island Constitution, the General Assembly retains exclusive power over matters relating to municipal taxation. Notwithstanding, and pursuant to Rhode Island General Laws § 44-3-9, the General Assembly has authorized the City of Providence, acting through its City Council and subject to certain enumerated conditions, to exempt or determine a stabilized amount of taxes to be paid on account of real and personal property for a period not to exceed twenty (20) years; and

WHEREAS, Pursuant to the Providence Code of Ordinances, as amended, specifically Chapter 21, Article VIII, Section 21-169, the granting of the tax stabilization will inure to the benefit of the City of Providence and its residents by reason of:

- (A) The willingness of Project Owners to rehabilitate existing historic buildings and return them to useful service bringing additional residents to the area and improving the physical plant of the City, which will result in a long-term economic benefit to the City and State; and
- (B) The willingness of Project Owners to commit by agreement to make a significant investment in the above-referenced property, by repurposing this abandoned structure bringing new residents to the neighborhood and enhancing its tax base. This will enhance the tax base of the surrounding area, and generate significant tax revenues for the City of Providence.

NOW, THEREFORE, In consideration of the mutual agreements and promises set forth herein and other good and lawful consideration the receipt of which is hereby acknowledged, the parties agree as follows:

SECTION 1. DEFINITIONS.

“Property” shall mean certain real property together with any and all buildings, structures, and/or improvements now or in the future located in the City at 35 Parade Street, Assessor’s Plat 035, Lot 151, 41 Parade Street, Assessor’s Plat 035, Lot 151, 12 Oak Street, Assessor’s Plat 035, Lot 153, and 19 R Willow Street, Assessor’s Plat 035, Lot 504

“Property Owner” shall mean the Project Owner or any other respective entities with the legal or equitable right and/or interest in and/or to the Property, including any and all successors and assigns.

SECTION 2. TAX STABILIZATION.

Section 2.1. Grant. The City, in accordance with R.I.G.L. § 44-3-9 and the City of Providence Code of Ordinances, does hereby grant a fifteen (15) year tax stabilization in favor of the Property Owner with respect to the Property.

Section 2.2. Term. The tax stabilization term shall be the period commencing on December 31, 2018 and terminating on December 31, 2032. (Tax Years 2019- 2033).

Section 2.3. Plan. During the tax stabilization term as defined in Section 2.2 above, the City has determined the stabilized amount of taxes to be paid by the Property Owner with respect to the Property, notwithstanding the valuation of the Property or the then-current rate of tax as follows: For tax years 2019 through and including tax year 2021, the Property Owner shall make a tax payment equal to the taxes due and owing for the December 31, 2016 assessment value multiplied by the then current Tax Year tax rate (hereinafter the “Base Assessment Tax”). For each tax year thereafter, the Property Owner will pay the Base Assessment Tax plus a percentage of the difference between the Base Assessment Tax on the Property and the taxes due and owing on the then-current assessed value of the Property multiplied by the then-current rate. See “Tax Stabilization Plan” incorporated herein as if fully reproduced and attached hereto and as Exhibit A.

Section 2.4. Payment Deadlines. During the tax stabilization term as defined in Section 2.2 above and in accordance with the tax stabilization plan outlined in Section 2.3 above, stabilized tax payments shall be made in either a lump sum during the first quarter of the applicable tax year or in equal quarterly installments at the discretion of the Property Owner. If the Property Owner elects to make quarterly installments, each quarterly installment shall be due on the same date that quarterly taxes are due for all other taxpayers in the City of Providence.

Section 2.5. Obligation of Property Owners to Make Payment. During the tax stabilization term as defined in Section 2.2 above and in accordance with the tax stabilization plan outlined in Section 2.3 above, stabilized tax payments shall be an obligation of the Property Owner. It is understood that the stabilized tax payments made hereunder are deemed by the City to be tax payments, and the Property 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.

Section 2.6. Non-Receipt of Stabilized Tax Bill. Failure by the City to send or failure by the Property Owner to receive a stabilized tax bill does not excuse the nonpayment of the stabilized tax nor affect its validity or any action or proceeding for the collection of the tax in accordance with this Agreement or otherwise.

Section 2.7. Recording of Agreement, Running with Land. Upon the execution of this Agreement, the Property Owner shall cause a Notice of this Agreement to be recorded at its expense in the City's official public land evidence records.

SECTION 3. PERFORMANCE OBLIGATIONS.

Section 3.1. Commencement of Performance.

Rehabilitation and/or construction shall commence within twelve (12) months of the effective date of this Agreement.

Section 3.2. Permits and Certificates of Occupancy.

Property Owners shall obtain all permits and certificates of occupancy as required by state and local law in connection with any and all intended construction or rehabilitation at the Property.

SECTION 4. TRANSFER OF THE PROPERTY.

Section 4.1. Transfer Generally. Stabilized tax payments shall be an obligation of the Property Owner during the tax stabilization term as defined in Section 2.2 above and in accordance with the tax stabilization plan outlined in Section 2.3 above. Additionally, in accordance with Section 2.7, the burdens and benefits of this Agreement will run with the land, and as for payment of taxes shall run in favor of the City regardless of any transfer of ownership. The Property Owner further agree to provide written notice to the City within thirty (30) days of any transfer of title to the real estate.

Section 4.2. Transfer to Tax Exempt Entities. In the event that one of the respective entities comprising the Property Owner transfers one of the lots comprising the Property to a tax exempt entity, this Agreement shall be void ab initio as it pertains to the respective lot being transferred and the owner thereof and any entity holding the legal right or legal interest in the that respective lot at the time of said transfer shall be liable for the full taxes due and owing from the Effective Date of this Agreement and forward.

Section 4.3. Post-Expiration Transfers. In the event that one of the respective entities comprising the Property Owner transfers the Property to a tax exempt entity within five years from the end of the tax stabilization term, as defined in Section 2.2 above, the then respective entity owning the applicable lot at the time of said sale will pay the following: five percent (5%) of the sale price in said transfer if sold to a tax-exempt entity in the first year following the end of the Term; four percent (4%) of the sale price in said transfer if sold to a tax-exempt entity in the second year following the end of the Term; three percent (3%) of the sale price in said transfer if sold to a tax-exempt entity in the third year following the end of the Term; two percent (2%) of the sale price in said transfer if sold to a tax-exempt entity in the fourth year following the end of the Term; and one percent (1%) of the sale price in said transfer if sold to a tax-exempt entity in the fifth year following the end of the Term.

SECTION 5. FURTHER ASSURANCES.

Section 5.1. MBE/WBE. Property 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). Property Owners 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). Property 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 Property 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.

Section 5.2. Internal Revenue Service reporting. Except as provided under R.I.G.L. § 28-42-8, any person performing services at the Property shall annually receive either a W-2 statement or an IRS Form 1099.

Section 5.3. First Source. 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.

Section 5.4. "Buy Providence" Initiative. Property 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, Property Owners 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 Property. In order to further that effort, Property Owner will hold seminars/meetings 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 Property Owner's development plans in order to maximize the opportunities for Providence businesses to work with Property Owner in providing on-going services, equipment and materials. To be clear, nothing in the foregoing shall be construed so as to obligate Property 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 Property Owner.

Section 5.5. Apprenticeship. The Property Owner shall ensure that one hundred (100) percent of the hours worked on the project shall be performed by trade construction subcontractors who have or are affiliated with an apprenticeship program as defined in 29 C.F.R. § 29 et seq. Up to twenty (20) percent of the hourly requirement may be waived if replaced with hours worked by qualified MBE/WBE companies registered in the State of Rhode Island. Certification of this waiver shall be reviewed and signed by the designated MBE/WBE coordinator within the department of purchasing. The Property Owner shall make a requirement in the contracts between its construction manager and general contractor and their subcontractors who have apprenticeship programs as defined in 29 C.F.R. § 29 that not less than ten (10) percent of the total hours worked by the subcontractors' employees on the project are completed by apprentices registered in the aforementioned apprenticeship programs.

The Property Owner shall as part of its contracts between its construction manager and general contractor and their subcontractors require that the subcontractors submit to the First Source Director quarterly verification reports to ensure compliance with this section.

The Property Owner, its construction manager or general contractor or other authorized person/entity may petition the First Source Director to adjust the apprenticeship work hour requirements to a lower percentage upon a showing that:

- a. Compliance is not feasible because a trade or field does not have an apprenticeship program or cannot produce members from its program capable of performing the scope of work within the contract; or
- b. Compliance is not feasible because it would involve a risk or danger to human health and safety or the public at large; or
- c. Compliance is not feasible because it would create a significant economic hardship; or
- d. Compliance is not feasible for any other reason which is justifiable and demonstrates good cause.

SECTION 6. DEFAULT.

The following events shall constitute an event of default hereunder:

- (A) Failure of the Property Owner to pay any amount due under or with respect to the tax stabilization in accordance with Section 2 above; or
- (B) Failure of the Property Owner to record a Notice of this Agreement as required by and in accordance with Section 2 above; or
- (C) Failure of the Property Owner to meet any of the performance obligations set forth in Section 3 above; or
- (D) Failure of the Property Owner to annually report as required by Section 9 below; or
- (E) Failure of the Property Owner to notify the City in writing within thirty (30) days of the transfer of the Property; or
- (F) Transfer of the Property by the Property Owner outside of the terms of this Agreement; or
- (G) Failure of the Property Owner to comply with Section 5 above; or
- (H) Failure of the Property Owner to comply with any other obligation or promise contained within any section or subsection of this Agreement; or

- (I) Failure of the Property Owner to comply with all state and local law regarding building and property maintenance codes, zoning ordinances, and building and/or trade permits; or
- (J) Failure of the Property Owner to remain current on any and all other financial obligations to the City of Providence.

SECTION 7. NOTICE AND CURE.

Section 7.1. Notice and Cure Period. The City Council shall provide written notice to the Property Owner before exercising any of its rights and remedies under Section 8 below. The Property Owner shall have ninety (90) days to cure any alleged default under this Agreement, provided, however, that if the curing of such default cannot be accomplished with due diligence within ninety (90) days, then the Property Owner shall request an additional reasonable period of time from the Tax Assessor (and if an agreement on the period of time cannot be reached between the Property Owner and the Tax Assessor, then the Property Owner shall request such additional time from the City Council) to cure such default. Such reasonable request shall be granted provided that the Property Owner shall have commenced to cure such default within said period, such cure shall have been diligently pursued by the Property Owner and the City Council does not reasonably deem the taxes jeopardized by such further delay, all as determined by the City Council in its sole reasonable discretion.

Section 7.2. Agreed Upon Address for Purposes of Written Notice. All notices, requests, consents, approvals, and any other communication which may be or are required to be served or given (including changes of address for purposes of notice) shall be in writing and shall be sent registered or certified mail, or by nationally recognized overnight courier (such as Federal Express or UPS) and addressed to the following parties set forth below:

If to:	City of Providence Office of the City Clerk 25 Dorrance St. Providence, RI 02903
If to:	RCG Armory Park View, LLC c/o Mark Van Noppen 334 Broadway PROVIDENCE, RI
	Copy to: Nicholas Hemond, Esq. Darrow Everett, LLP One Turks Head Place, Suite 1200 Providence, RI 02903

SECTION 8. RIGHTS AND REMEDIES.

Section 8.1. Collection of Taxes. At any time during the tax stabilization term as defined in Section 2.2 of this Agreement, the City of Providence may pursue any and all rights and remedies arising under any state or local law, including but not limited to Chapters 7-9 of Title 44, and/or arising under this Agreement to collect stabilized taxes due and owing in accordance with the tax stabilization plan outlined in Section 2.3 above and/or to collect retroactive taxes pursuant to Section 8.1 above.

Section 8.2. City's Lien Remedies and Rights. Nothing herein contained shall restrict or limit the City's rights and/or remedies with respect to its first priority lien for taxes as provided under Title 44 of the Rhode Island General Laws. Rather, this Agreement shall be construed to provide a complete additional alternative method under contract law for the collection of taxes, and shall be regarded as supplemental and in addition to the powers conferred by other state and local laws.

Section 8.3. Waiver. Failure or delay on the part of the City to exercise any rights or remedies, powers or privileges at any time under this Agreement or under any state or local law shall not constitute a waiver thereof, nor shall a single or partial exercise thereof preclude any other or further exercise thereof or the exercise of any other right, remedy, power of privilege thereunder.

Section 8.4. Property Owner's Rights. During the tax stabilization term as defined in Section 2.2, the Property Owner agrees to waive and forever forgo any and all of its rights and privileges under Title 44 of the Rhode Island General Laws, as they pertain to the Tax Payments due and owing pursuant to this Agreement, unless the assessment value of the Property increases by more than ten percent (10%) between any two City-wide revaluations (as referenced in R.I. Gen. Laws § 44-5-11.6) which occur during the term of this stabilization or if there is a substantial change in circumstances regarding the value of the Property. A substantial change in circumstances shall include a vacancy or partial vacancy at the Property, loss of use of the Property as a result of fire, flood or other force majeure, loss of revenue generated by the Property or decline in the real estate market such that it negatively impacts the value of the Property. Nothing herein shall be construed to limit the right of the Property Owner to pursue its rights and remedies under the terms of this Agreement.

SECTION 9. MISCELLANEOUS TERMS.

Section 9.1. Annual Progress Report. The Property Owner shall provide annual reports to the City Council on its progress in complying with the provisions of this Agreement, and one final report following the issuance of a certificate of occupancy for the work contemplated hereby (which reporting may be done on a Property by Property basis). Specifically, its report shall include a performance report on rehabilitation and/or improvements with evidence of final construction costs, status of stabilized tax payments, and evidence of employment compliance pursuant to Section 6 above. Upon receipt and review, the City Council may require and request reasonable additional non-confidential or proprietary information.

Section 9.2. Monitoring Fee. Within thirty (30) days of receiving a statement from the Tax Assessor, the Property Owner shall remit a monitoring/compliance fee to the City in the amount of 0.01 percent of the total project costs as presented in the Property Owner's application for each respective tax year during the term of this Agreement.

Section 9.3. Agreement to Contribute to Parks and Recreation Trust Fund. Upon ratification of this Agreement by the City Council, the Property Owner shall, within thirty days of receiving a statement from the Treasurer, contribute to a Trust Fund established by the City of Providence, 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) Payments to the Fund. The Property Owner shall make annual payments to the Fund in the amount of Five (5) percent of the abated tax for each respective tax year, for as long as this Agreement is in full force and effect. Said annual payments will be payable on the last day of each subsequent tax year after the Commencement Date. Additionally, in the first three years of this Agreement, the Property Owner shall contribute a total of \$2,5000.00 in each year. If, for any reason, this Agreement is retroactively revoked, the payments to the fund shall remain and will not be forfeited back to the Property Owner due to a default. By way of example only, if the tax savings for Year 4 is \$500,000, the contribution for Year 4 shall be \$25,000.
- (b) Investment and Distribution of the Fund. The trust fund will be invested by the Board of Investment Commissioners, 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 and the Department of Recreation through the operating budget. Distributions may never exceed the earnings in the year of distribution or reduce the corpus of the fund. The first payment from the fund shall begin in the fifth year after the establishment of the fund.

Section 9.4 Severability. The sections of this Agreement are severable, and if any of its sections or subsections shall be held unenforceable by any court of competent jurisdiction, the decision of the court shall not affect or impair any of the remaining sections or subsections.

Section 9.5. Applicable Law. This Agreement shall be construed under the laws of the State of Rhode Island, the City of Providence Home Rule Charter, and the City of Providence Code of Ordinances, as amended.

Section 9.6. Modifications Amendments and/or Extensions. This Agreement shall not be modified, amended, extended or altered in any way by oral representations made before or after the execution of this Agreement. Any and all modifications, amendments, extensions or alterations must be in writing duly executed by all parties.

Section 9.7. Entire Agreement. This Agreement and all attachments, addenda, and/or exhibits attached hereto shall represent the entire agreement between City and the Property Owners and may not be amended or modified except as expressed in this document.

Section 9.8. Effective Date. This Agreement shall take effect upon passage of this Ordinance by the Providence City Council, and approval by the Mayor.

Exhibit A

<u>Year</u>	Percentage of Difference between Base Assessment and Current Full Value Assessment
Year 4	8.33%
Year 5	16.66%
Year 6	24.99%
Year 7	33.32%
Year 8	41.65%
Year 9	49.98%
Year 10	58.31%
Year 11	66.64%
Year 12	74.97%
Year 13	83.30%
Year 14	91.63%
Year 15	95%

COUNCILWOMAN RYAN Moves Passage of the Ordinance the Second Time, Seconded by COUNCILWOMAN HARRIS, by the following Roll Call Vote:

RESULT:	READ/PASSED SECOND TIME [11 TO 2]
MOVER:	Councilwoman Ryan
SECONDER:	Councilwoman Harris
AYES:	Council President Matos, Councilwomen Anthony, Castillo, Councilman Espinal, Councilwoman Harris, Councilman Iglizzi, Councilor Kerwin, Councilwomen LaFortune, Ryan, Councilor Salvatore and Councilman Taylor – 11.
NAYS:	Councilman Goncalves and Councilor Miller – 2.
ABSENT:	Councilmen Correia and Narducci – 2.

The Motion for Passage the Second Time is Sustained.

COUNCILOR MILLER, COUNCIL PRESIDENT MATOS, COUNCILWOMEN ANTHONY, LAFORTUNE, COUNCILOR KERWIN, COUNCILWOMAN CASTILLO, FORMER COUNCILMAN APONTE, FORMER COUNCILMAN YURDIN, COUNCILMEN CORREIA, ESPINAL, GONCALVES, IGLIOZZI AND COUNCILOR SALVATORE

An Ordinance in Amendment of Chapter 16, "Offenses and Miscellaneous Provision", Article II, Entitled: "Discrimination", of the Code of Ordinances of the City of Providence, by amending Sections 16-54, "Definition of Terms," 16-55, "Unlawful Housing Practices," 16-63, "Function and Duties of Commission," 16-64, "Powers of Commission," and 16-65, "Certification of Bona Fide Qualifications".

Section 1. Chapter 16, "Offenses and Miscellaneous Provisions," Article II, "Discrimination," Section 54, is hereby amended as follows:

Sec. 16-54. - Definition of terms.

Bona fide qualifications refers to a valid consideration of race and color, sex, sexual orientation, religion, marital status, disability, age or country of ancestral origin which has been certified as such by the commission or by the Rhode Island Commission on Human Rights.

Charge is that which is brought by a complainant alleging an unlawful practice or that which is filed by the commission following an investigation.

Commission means the Providence Human Relations Commission, its agents and employees.

Complaint means that which is issued by the commission on its own behalf or in the behalf of the complainant and subsequent to a probable cause determination.

Disability means any condition or characteristic whether physical or mental which renders a person disabled as defined by 42 USC 1202(2), commonly referred to as the "Americans With Disabilities Act of 1990", as amended.

Discounts means any reduction of the normal charge for products or services. Includes those offered on a free basis.

Discrimination includes any policy or practice which by design or effect segregates, separates or has a disproportionate impact according to race or color, sex, sexual orientation, gender identity or expression, religion, marital status, disability, age, country of ancestral origin, or lawful source of income or because of the race or color, sex, sexual orientation, gender identity or expression, religion, marital status, disability, age, country of ancestral origin, or lawful source of income of any person with whom they are or may wish to be associated.

Employment agency includes any person undertaking with or without compensation to procure opportunities to work, or to procure, recruit, refer, or place employees.

Employee does not include any person employed by his or her parents, spouse or child.

Employer includes the city and all its departments and authorities, and all persons employing seven (7) or more individuals within the City of Providence, or any person acting as the agent of an employer either directly or indirectly. The term does not apply to a religious corporation, religious association, religious educational institution, or religious society with respect to the employment of individuals of its religion to perform work connected with the carrying on of its religious activities.

Educational facilities means any public or private institution of learning.

Gender identity or expression means a person's actual or perceived gender, as well as a person's gender identity, gender-related self-image, gender-related appearance, or gender-related expression; whether or not that gender identity, gender-related self-image, gender-related appearance, or gender-related expression is different from that traditionally associated with the person's sex at birth.

Housing accommodation includes any building or structure or portion thereof, or any parcel of land, developed or undeveloped, which is occupied, or intended, designed, or arranged to be occupied, or to be developed for occupancy, as the home, residence, or commercial business of one (1) or more persons, but excludes any dwelling unit which, under the provisions of state fair housing laws, are exempt by virtue of their location in an owner-occupied building.

Labor organization includes any organization which exists for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection in relation to employment.

Lawful source of income refers to any income or earnings including income, benefit, or subsidy derived from child support; alimony; Social Security; Supplemental Security Income; and other federal, state, or local public assistance program, including but not limited to medical or veterans assistance; any federal, state, or local rental assistance or housing subsidy program, including the federal Housing Choice Voucher Program authorized by 42 U.S.C. §1437; and any requirement associated with such public assistance, rental assistance, or housing subsidy program.

Public accommodation refers to any public resort, accommodation, assemblage, amusement, business, or establishment that provides a service or function, personal, or otherwise licensed, or unlicensed, including but not limited to inns, taverns, bars, roadhouses, hotels, motels, trailer parks, camp sites, restaurants, diners, or any place where food or beverage is sold, retail stores and establishments, dispensaries, clinics, hospitals, rest homes, nursing homes, rest rooms, bathhouses, barber shops, beauty parlors, trade schools or vocational establishments, theaters, motion picture houses, music halls, race courses, skating rinks, amusement and recreation parks, fairs, bowling alleys, golf courses, gymnasiums, shooting galleries, billiard and pool parlors, swimming pools, athletic or recreational facilities, seashore accommodations, public libraries, garages, all public conveyances operated on land, water, in the air or underground, as well as the stations and terminals thereof, public halls and rooms and public stairs and elevators of buildings or other public accommodations, public housing projects, clubs, societies, fraternities, sororities, associations, or other organizations that are public or quasi-public, banks, finance companies, insurance companies, building and construction companies, other businesses; traffic and other courts, and licensing and regulating bodies and all public policies, programs, and activities. Nothing

herein contained shall be construed to include, or apply to, any place of accommodation which is by its nature distinctly private; provided, that where public use is permitted, that use shall be covered by this article.

Sexual discrimination shall be deemed to include situations where an individual, acting independently, is discriminated against because of gender.

Section 2. Chapter 16, "Offenses and Miscellaneous Provisions," Article II, "Discrimination," Section 55, is hereby amended as follows:

Sec. 16-55. - Unlawful housing practices.

(a) It shall be an unlawful housing practice:

- (1) For any owner, lessee, sub-lessee, assignee, managing agent, real estate agent, or other person having the right to sell, rent, lease, or manage a housing accommodation or an agent of any of those:
 - A. To discriminate or directly or indirectly make or cause to be made any written or oral inquiry concerning race or color, sex, sexual orientation, gender identity or expression, religion, marital status, disability, age, or country of ancestral origin of any prospective purchaser, occupant, or tenant of such housing accommodation;
 - B. To discriminate or directly or indirectly to refuse to sell, rent, lease, let or otherwise deny to or withhold from any individual, such housing accommodation because of the race or color, sex, sexual orientation, gender identity or expression, religion, marital status, disability, age, country of ancestral origin, or lawful source of income of such individual;
 - C. To discriminate or directly or indirectly print or publish or cause to be printed or published, circulated, broadcasted, issued, used, displayed, posted, or mailed any written, printed or painted or oral communication, notice or advertisement relating to the sale, rental, lease or let of such housing accommodation which indicates any preference, denial, limitation, specification, qualification, or discrimination, based upon race or color, sex, sexual orientation, gender identity or expression, religion, marital status, disability, age, country of ancestral origin, or lawful source of income;
 - D. To directly or indirectly discriminate against any person because of his or her race or color, sex, sexual orientation, gender identity or expression, religion, marital status, disability, age, country of ancestral origin, or lawful source of income in the terms, conditions, or privileges of the sale, rental, lease, or let of any such housing accommodation or in the furnishing of facilities or services in connection therewith.
- (2) For any person to whom application is made for a loan or other form of financial assistance for the acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation, whether secured or unsecured:

- A. To discriminate or to directly or indirectly make or cause to be made any written or oral inquiry concerning the race or color, sex, sexual orientation, gender identity or expression, religion, marital status, disability, age, or country of ancestral origin of any individual seeking such financial assistance, or of existing or prospective occupants or tenants of such housing accommodation, nor shall any such person to whom such application is made, directly or indirectly discriminate in the terms, conditions or privileges relating to the obtaining or use of any such financial assistance against any applicant because of race or color, sex, sexual orientation, gender identity or expression, religion, marital status, disability, age or country of ancestral origin of such applicant, or of the existing or prospective occupants or tenants thereof;
 - B. To discriminate or to directly or indirectly deny or limit such application for financial assistance on the basis of an appraiser's, whether independent or not, evaluation of the property or neighborhood under consideration, when such evaluation is based on discriminatory criteria.
- (3) For any person, agent, firm, corporation or association, whether or not acting for monetary gain, to directly or indirectly induce, attempt to induce, prevent or attempt to prevent the sale, purchase, rental, or letting of any housing accommodation by:
- A. Implicit or explicit representations regarding the existing or potential proximity of real property owned, used, or occupied by persons of any particular race or color, sex, sexual orientation, gender identity or expression, religion, marital status, disability, age, country of ancestral origin, or lawful source of income;
 - B. Implicit or explicit representations regarding the effects or consequences of any such existing or potential proximity, including but not limited to the lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools or other facilities;
 - C. Implicit or explicit false representations regarding the availability of suitable housing within a particular neighborhood or area, or failure to disclose or offer to show all properties listed or held for sale, rent, lease, or let within a requested price range, regardless of location, so as to promote the continuance or maintenance of segregated housing or so to retard, obstruct, or discourage integrated housing on or in any street, block, or neighborhood.
- (4) Except where based on a valid affirmative action program or recordkeeping or reporting requirements:
- A. For any person, agent, manager, owner, or developer of any apartment or housing unit, complex, or development, whether commercial or residential to directly or indirectly make or keep a record of any applicant's, prospective tenant's, or tenant's race or color, sex, sexual orientation, gender identity or expression, religion, marital status, disability, age, or country of ancestral origin;
 - B. To use any form of housing or loan application which contain questions or entries directly or indirectly pertaining to race or color, sex, sexual orientation, gender identity or expression, religion, marital status, disability, age, or country of ancestral origin;

C. Establish, announce, or follow a pattern, practice, or policy of denying, excluding or limiting by any means whatsoever housing accommodations to any group because of the race or color, sex, sexual orientation, gender identity or expression, religion, marital status, disability, age, country of ancestral origin, or lawful source of income of such group.

- (5) For any person to discriminate in any manner against any individual, or deny that individual because he or she has opposed any practice forbidden by this article, or because he or she has made a charge, testified, or assisted in any manner in any investigation, proceeding, or hearing under this article;
- (6) For any person, whether or not acting for monetary gain, to aid, abet, incite, compel or coerce the doing of any act declared by this section to be unlawful housing practice, or to obstruct or prevent any person from complying with the provisions of this article or any regulations or issued thereunder, or to attempt directly or indirectly to commit any act declared by this section to be an unlawful housing practice;

(b) Nothing contained in this section shall be construed to:

- (1) prevent the operation or establishment of housing facilities designed for the exclusive use of the aged or elderly and/or disabled, nor to prohibit the establishment of programs assigned to meet the needs of circumstances of handicapped disabled persons; or
- (2) prohibit any oral or written inquiry as to whether the prospective tenant is eighteen (18) years of age or older; or
- (3) confirm the source, amount and expected duration of the lawful source of income of a prospective purchaser or tenant; or
- (4) prohibit an owner of a housing accommodation from refusing to rent to a person based on their lawful source of income if the housing accommodation is three (3) units or less, one of which is occupied by the owner.

(c) If an owner, lessee, sub-lessee, assignee, managing agent, real estate agent, or other person having the right to sell, rent, lease, or manage a housing accommodation or an agent of any of those requires that a prospective or current tenant have a certain minimum level of income, the standard for assessing eligibility shall be based only on the portion of the rent to be paid by the tenant, taking into account the value of any lawful source of income.

(d) Private Enforcement Actions:

(1) An individual aggrieved by an unlawful housing practice in violation of this chapter may bring a civil action in a court of competent jurisdiction for appropriate relief.

(2) As used in subsection (1), "appropriate relief" means damages for injury or loss caused by each violation of this chapter, including, but not limited to permanent or temporary injunction, punitive damages, costs, reasonable attorney fees, and the types of relief described in section 16-76.

(3) Any action taken by the City or Commission does not preclude any private individual from seeking a private right of action under this section.

Section 3. Chapter 16, "Offenses and Miscellaneous Provisions," Article II, "Discrimination," Section 63, is hereby amended as follows:

Sec. 16-63. - Function and duties of commission.

- (a) The commission shall act in a policy and advisory capacity, and its functions and duties shall be to further amicable relations among various segments of the population which together comprise the City of Providence; to help make it possible for each citizen, regardless of race or color, sex, sexual orientation, gender identity or expression, religion, marital status, disability, age, country of ancestral origin, or other bases of discrimination prohibited by ordinance, to develop talents and abilities without limitation, to aid in permitting the community to benefit from the fullest realization of its human resources, and to preserve and further the good name of Providence and its people for tolerance and fair play, and promote better relations among all people.
- (b) In order to accomplish the objectives herein set out, the commission shall advise the mayor, city council and other offices of the city on problems affecting human and intergroup relations; make studies, surveys and investigations to provide accurate information and data for orderly and constructive community development, and to recommend such measures as are deemed necessary to carry out the objectives for which the commission has been created; consult with, obtain cooperation and coordinated effort on the part of all agencies, both public and private, which function in the field of human relations, including schools, law enforcement agencies, welfare, youth, and other similar organizations; utilize the resources of individuals and groups toward the improvement of inter group relations, to combat those misconceptions and prejudices which set group against group, and to eliminate discriminatory practices and policies.

Section 4. Chapter 16, "Offenses and Miscellaneous Provisions," Article II, "Discrimination," Section 64, is hereby amended as follows:

Sec. 16-64. - Powers of commission.

The commission is hereby empowered:

- (1) To provide for execution within its jurisdiction of the policies embodied in this article;
- (2) To safeguard all individuals within its jurisdiction from discrimination because of race or color, sex, sexual orientation, gender identity or expression, religion, marital status, disability, age, country of ancestral origin, or other bases of discrimination prohibited by ordinance;
- (3) To receive, initiate, investigate, hear and determine charges of violations of the provisions of this article forbidding discrimination;
- (4) Compel the attendance of witnesses and the production of evidence relevant to the matter in question for investigatory and determinative purposes by subpoena issued by the city council upon request in writing by said commission, and obtain enforcement of said subpoena in superior court;
- (5) Issue remedial orders after notice and hearing, requiring cessation of violations;

- (6) Employ an executive director, hearing examiners, clerks, agents and employees;
- (7) Accept grants, gifts or bequests, public or private, to help finance its activities;
- (8) Enter into deferral [referral] or other cooperative working agreements with the United States Equal Employment Opportunity Commission created by Title VII of the Federal Civil Rights Act of 1964 and with the Rhode Island Commission on Human Rights, and with any federal or state agency in order to achieve the purposes of this article;
- (9) To enact by majority vote of its members such rules and regulations as it may deem necessary and in the public interest to carry out the terms and conditions set out in this article. Such rules and regulations shall be signed by the chairperson of the commission and attested to by the executive director, and a copy shall be filed with the city clerk;
- (10) To elect a chairperson and other officers, and establish committees and advisory councils as it shall deem appropriate for the purposes of this article;
- (11) To render each year to the mayor and city council a full written report of all its activities and of its recommendations.

Section 5. Chapter 16, "Offenses and Miscellaneous Provisions," Article II, "Discrimination," Section 65, is hereby amended as follows:

Sec. 16-65. - Certification of bona fide qualification.

Upon the filing of a petition by any interested person, the commission may determine whether a bona fide qualification should be certified for any position, housing, or public accommodation, credit or loan eligibility or education practice based on race or color, sex, sexual orientation, gender identity or expression, religion, marital status, disability, age, country of ancestral origin, or other bases of discrimination prohibited by ordinance.

Section 6. Chapter 16, "Offenses and Miscellaneous Provisions," Article II, "Discrimination," Section 76, is hereby amended as follows:

Sec. 16-76. - Order and Compliance .

(a) If upon all the testimony taken, the commission shall determine that the respondent has engaged in or is engaging in unlawful practices, the commission shall issue and cause to be served upon such respondent an order requiring such respondent to cease and desist from such unlawful practices, and to take such further affirmative and other action as will effectuate the purposes of this article, including compliance reports; provided only, that any such order establishing remedial ratios shall be limited in time and scope to that which is required to eliminate or correct the effects of practices forbidden by this article, and that in no case shall the commission require the employment of a person or persons not otherwise qualified. The commission in its discretion may award the complainant for:

- (1) All damages sustained as a result of the unlawful act, including damages sustained through pain, humiliation and mental suffering;
- (2) Payment of cost, including all reasonable attorney fees incurred at any time as a result of the unlawful act;
- (3) Punitive damages;

(4) Other specific or equitable relief, such as access to the dwelling at issue (or a comparable dwelling); and

(5) Any other provisions to vindicate the public interest, including apologies; educational and training efforts; and affirmative activities to remediate past discriminatory practices, or prevent future ones.

(b) Upon submission of the reports of compliance the commission, if satisfied therewith, may issue a finding that the respondent has ceased to engage in unlawful practices.

Section 7. This ordinance shall take effect six (6) months after passage.

COUNCILWOMAN RYAN Moves Passage of the Ordinance the Second Time, Seconded by COUNCILWOMAN HARRIS, by the following Roll Call Vote:

RESULT:	READ/PASSED SECOND TIME [11 TO 0]
MOVER:	Councilwoman Ryan
SECONDER:	Councilwoman Harris
AYES:	Council President Matos, Councilwoman Anthony, Councilmen Espinal, Goncalves, Igliozi, Councilor Kerwin, Councilwoman LaFortune, Councilor Miller, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor – 11.
ABSTAIN:	Councilwomen Castillo and Harris – 2.
ABSENT:	Councilmen Correia and Narducci – 2.

The Motion for Passage the Second Time is Sustained.

PRESENTATION OF ORDINANCE

COUNCILMAN CORREIA, COUNCILWOMAN RYAN

An Ordinance of the City of Providence Approving Improvements to the Providence Water Supply Board's Distribution System and Appurtenances thereto, including, but not limited to the cleaning, relining, repair and replacement of water mains, transmission lines, service lines and valves, and attendant expenses and approving the financing thereof by the issuance of Water Revenue Bonds and Notes therefor in the amount not to exceed \$21,000,000.00.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT MATOS, (By Request):

Resolution Authorizing Approval of the following Change Order Contract Award by the Board of Contract and Supply in accordance with Section 21-26(c) of the Code of Ordinances.

Torrado Architects (Public Property)	\$108,961.61
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Resolution Authorizing Approval of the following Change Order Contract Award by the Board of Contract and Supply in accordance with Section 21-26(c) of the Code of Ordinances.

Torrado Architects (Public Property)	\$35,110.00
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COUNCILWOMAN RYAN Moves to Waive the Reading of items 6 through 8 and Refer to the Committee on Finance.

COUNCIL PRESIDENT MATOS Refers the Ordinance and Several Resolutions to the Committee on Finance.

RESULT:	REFERRED
TO:	Committee on Finance

COUNCIL PRESIDENT MATOS AND COUNCILWOMAN CASTILLO

Resolution Establishing a Special Commission on Municipal Operations and Oversight.

WHEREAS, In order to uphold the legislative intent of ordinances governing municipal departments, agencies, and programs, ongoing, data-driven review and evaluation of the effectiveness and efficiency of City operations is crucial; and

WHEREAS, Collecting and analyzing data, reviewing regulations, policies and procedures, and establishing goals and objectives, will assist in the City's efforts to improve services, and will help identify necessary legislative and programmatic changes; and

WHEREAS, It is the intent of the City to provide the highest possible quality of programs and services to the residents of Providence, and it is the responsibility of the City Council to enact ordinances to ensure the welfare and good order of the city.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence does hereby establish a Special Committee on Municipal Operations and Oversight, and that the responsibilities of said committee shall be to:

- 1) Review administrative compliance with legislative intent, including administrative regulations of departments, agencies, and programs;
- 2) Select areas for review, establish goals and objectives, collect and analyze data, and report to the City Council with recommendations, including possible legislative and programmatic changes based on its review and analysis.
- 3) Work with other Council committees and the administration to collaborate on reviews and studies to take advantage of resources and optimize results.
- 4) Exercise oversight with respect to investigations related to operational and programmatic topics, and as empowered under the Providence Home Rule Charter.

BE IT FURTHER RESOLVED, That the Internal Auditor shall provide assistance, as necessary, to support the efforts of the Special Committee on Municipal Operations and Oversight, and that all City departments shall cooperate with requests pertaining to departmental functions, and other information as may be necessary for the Committee to fulfill its responsibilities.

**COUNCILMEN CORREIA, TAYLOR, ESPINAL, COUNCILWOMAN HARRIS,
COUNCILOR MILLER, COUNCILMAN NARDUCCI, COUNCIL PRESIDENT
MATOS, COUNCILWOMAN CASTILLO, COUNCILMAN IGLIOZZI,
COUNCILWOMEN LAFORTUNE, RYAN AND COUNCILOR SALVATORE**

Resolution Requesting the Department of Public Works replace and repair all trash and recycling barrels throughout the city.

WHEREAS, The Department of Public Works oversees all trash and recycling barrels throughout the City of Providence; and

WHEREAS, Many trash and recycling barrels throughout the City have fallen into a state of disrepair and either need to be replaced or repaired, as many of those barrels are well beyond their usage expectancy; and

WHEREAS, Residents and visitors of the City must be provided with locations to properly dispose of their trash and recyclables in order to prevent the buildup of refuse on the City's streets.

NOW, THEREFORE, BE IT RESOLVED, That the Providence City Council hereby requests that Director of the Department of Public Works along with Environmental Services assess all trash and recycling barrels throughout the City and repair or replace every barrel that is in a state of disrepair.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to the Mayor of Providence and the Director of Public Works.

COUNCILMEN ESPINAL, CORREIA, GONCALVES, COUNCILWOMAN HARRIS, COUNCILOR KERWIN, COUNCILOR MILLER, COUNCILMAN NARDUCCI, COUNCIL PRESIDENT MATOS, COUNCILWOMAN CASTILLO, COUNCILMAN IGLIOZZI, COUNCILWOMEN LAFORTUNE, RYAN, COUNCILOR SALVATORE AND COUNCILMAN TAYLOR

Resolution Remembering the Legacy and Memory of Mother Lula Mae Jackson.

WHEREAS, Mother Lula Mae Jackson of Providence, Rhode Island passed away on Tuesday, February 2nd, 2021 after decades of dedication to the City of Providence as a woman of family, faith and service; and

WHEREAS, Mother Jackson was a dedicated employee for the Providence Public School Department for twenty-five years at Pleasant View School; and

WHEREAS, Mother Jackson later came out of retirement to serve as a day-care specialist at the Urban League of Rhode Island, earning the honor of “Employee of the Year” for her committed service to urban and at-risk children; and

WHEREAS, As a woman of unwavering faith, Mother Jackson further contributed to her community through activism in her church as the President of the Women’s Department, Pastor’s Aide Leader, Church Announcer, and as a member of the Hospitality Committee and choir. She later served as the church mother to the Shiloh Gospel Church; and

WHEREAS, Mother Lula Mae Jackson devoted decades of her life to the service of others, including children, those in need, her loving family and her beloved church community; and

WHEREAS, Mother Jackson will forever be remembered for her dedication to faith, family and community stewardship. As a wife, mother, educator and pillar of her church, Mother Jackson touched the lives of all who knew her.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence does hereby honor the legacy and memory of Mother Lula Mae Jackson.

BE IT FURTHER RESOLVED, That the City Council of the City of Providence extends its deepest condolences to the entire Jackson family, as well as Mother Jackson’s extended family and friends throughout the City of Providence and beyond.

**COUNCILMEN IGLIOZZI, CORREIA, ESPINAL, GONCALVES, NARDUCCI,
COUNCIL PRESIDENT MATOS, COUNCILWOMEN CASTILLO,
LAFORTUNE, COUNCILOR MILLER, COUNCILWOMAN RYAN,
COUNCILOR SALVATORE AND COUNCILMAN TAYLOR**

Resolution Congratulating Robert Palazzo on receiving the National Federation of State High School Associations 2020 Track and Field Coach of the Year award.

WHEREAS, Robert Palazzo has been a member of the Classical High School Athletic Department for over 29 years, serving as the track and field coach; and

WHEREAS, As the head coach of the track and field program at Classical, Mr. Palazzo has won 300 dual meets and 59 Rhode Island Interscholastic League (RIIL) Class B state and divisional championships; and

WHEREAS, Mr. Palazzo has mentored four national track and field champions, 47 individual state champions, 18 New England champions, 30 all-Americans and one national record-holder in track and field; and

WHEREAS, In addition to being a five-time Rhode Island Track Coaches Association (RITCA) Coach of the Year and a member of both the RITCA and Classical High School Hall of Fame, Mr. Palazzo was recently recognized by the National Federation of State High School Associations (NFHS) as the 2020 Track and Field Coach of the Year; and

WHEREAS, The NFHS awards program has been held since 1982 and recognizes coaches in the top 10 girls sports and top 10 boys sports (by participation numbers), and in two "other" sports - one for boys and one for girls - that are not included in the top 10 listings; and

WHEREAS, Through his tireless dedication to the athletics community of Classical High School as well as the State of Rhode Island with his over 26 years of service as an executive board member of the Rhode Island Interscholastic Athletic Administrators Association, Mr. Palazzo could not be more deserving of such a prestigious national honor; and

WHEREAS, Robert Palazzo's unyielding commitment to improving the lives of his athletes, as well as athletes across the State of Rhode Island, serves an example for all to follow on what it truly means to be a pillar of one's community.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence does hereby congratulate Robert Palazzo on receiving the National Federation of State High School Associations 2020 Track and Field Coach of the Year Award.

COUNCILWOMAN RYAN Moves to Waive the Reading of items 9 through 12 and Moves Passage of the Several Resolutions, Seconded by COUNCILWOMAN HARRIS.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Councilwoman Ryan
SECONDER:	Councilwoman Harris
AYES:	Council President Matos, Councilwomen Anthony, Castillo, Councilmen Espinal, Goncalves, Councilwoman Harris, Councilman Igliazzi, Councilor Kerwin, Councilwoman LaFortune, Councilor Miller, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor – 13.
ABSENT:	Councilmen Correia and Narducci – 2.

The Motion for Passage is Sustained.

**COUNCILOR MILLER, COUNCILWOMAN ANTHONY, COUNCILMEN
CORREIA, ESPINAL, GONCALVES, COUNCILWOMAN HARRIS,
COUNCILOR KERWIN, COUNCILMAN NARDUCCI, COUNCILWOMAN
CASTILLO, COUNCILMAN IGLIOZZI, COUNCILWOMAN LAFORTUNE
AND COUNCILOR SALVATORE**

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2021
H-5029, An Act Relating to Labor and Labor Relations - Minimum Wages.

**COUNCILOR MILLER, COUNCILWOMAN ANTHONY, COUNCILMEN
CORREIA, ESPINAL, GONCALVES, COUNCILOR KERWIN, COUNCILMAN
NARDUCCI, COUNCILWOMAN CASTILLO, COUNCILMAN IGLIOZZI,
COUNCILWOMAN LAFORTUNE AND COUNCILOR SALVATORE**

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2021
H-5218, An Act Relating to Labor and Labor Relations - Minimum Wages.

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2021
H-5130 and Senate Bill 2021 S-0001, As Amended, An Act Relating to Labor and Labor
Relations - Minimum Wages.

Resolution Endorsing and Urging Passage by the General Assembly of House Bill 2021
H-5257 and Senate Bill 2021 S-0121, An Act Relating to Property - Rhode Island Fair
Housing Practices Act.

**COUNCILWOMAN RYAN Moves to Waive the Reading of items 13 through 16 and Refer
to the Special Committee on State Legislative Affairs.**

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

RESULT:	REFERRED
TO:	Committee on Ordinances and Special Committee on State Legislative Affairs

COUNCILWOMEN RYAN, ANTHONY, COUNCILMEN CORREIA, ESPINAL, GONCALVES, COUNCILOR MILLER, COUNCILMAN NARDUCCI, COUNCIL PRESIDENT MATOS, COUNCILWOMEN CASTILLO, HARRIS, COUNCILMAN IGLIOZZI, COUNCILWOMAN LAFORTUNE AND COUNCILOR SALVATORE

Resolution Endorsing and Urging Passage by the General Assembly of Senate Bill 2021 S-0037 and House Bill 2021 H-5358, An Act Relating to Health and Safety - Plastic Waste Reduction Act.

RESOLVED, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of Senate Bill 2021 S-0037 and House Bill 2021 H-5358, An Act Relating to Health and Safety - Plastic Waste Reduction Act.

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

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Councilwoman Ryan
SECONDER:	Councilwoman Harris
AYES:	Council President Matos, Councilwomen Anthony, Castillo, Councilmen Espinal, Goncalves, Councilwoman Harris, Councilman Igliazzi, Councilor Kerwin, Councilwoman LaFortune, Councilor Miller, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor – 13.
ABSENT:	Councilmen Correia and Narducci – 2.

The Motion for Passage is Sustained.

COUNCILOR SALVATORE, COUNCILMEN CORREIA AND GONCALVES

Resolution Requesting the Department of Public Works to cause the installation of "Neighborhood Street Name" Signs along River Avenue between Eaton Street and Douglas Avenue.

RESOLVED, That the Department of Public Works is requested to cause the installation of "Neighborhood Street Name" Signs along River Avenue between Eaton Street and Douglas Avenue.

Resolution Requesting the Department of Public Works to cause the installation of "Neighborhood Street Name" Signs along Douglas Avenue, between Eaton Street and Lubec Street.

RESOLVED, That the Department of Public Works is requested to cause the installation of "Neighborhood Street Name" Signs along Douglas Avenue, between Eaton Street and Lubec Street.

Resolution Requesting the Department of Public Works to cause the installation of "Neighborhood Street Name" Signs along Sharon Street between Eaton Street and Admiral Street.

RESOLVED, That the Department of Public Works is requested to cause the installation of "Neighborhood Street Name" Signs along Sharon Street between Eaton Street and Admiral Street.

COUNCILWOMAN RYAN Moves to Waive the Reading of items 18 through 20 and Moves Passage of the Several Resolutions, Seconded by COUNCILWOMAN HARRIS.

RESULT:	PASSED [UNANIMOUS]
MOVER:	Councilwoman Ryan
SECONDER:	Councilwoman Harris
AYES:	Council President Matos, Councilwomen Anthony, Castillo, Councilmen Espinal, Goncalves, Councilwoman Harris, Councilman Igliozi, Councilor Kerwin, Councilwoman LaFortune, Councilor Miller, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor – 13.
ABSENT:	Councilmen Correia and Narducci – 2.

The Motion for Passage is Sustained.

REPORT(S) FROM COMMITTEE(S)

COMMITTEE ON PUBLIC WORKS COUNCILMAN MICHAEL J. CORREIA, Chairman

**Transmits the Following with Recommendation the Same be Severally
Approved:**

COUNCILMAN TAYLOR, COUNCILMAN GONCALVES

Resolution Requesting the Traffic Engineer to cause Mashapaug Street to be established as a "One-Way" Street from Huntington Avenue to Vineyard Street.

RESOLVED, That the Traffic Engineer is requested to cause Mashapaug Street to be established as a "One-Way" Street from Huntington Avenue to Vineyard Street.

COUNCIL PRESIDENT MATOS, COUNCILMEN CORREIA, GONCALVES AND NARDUCCI

Resolution Authorizing the Mayor of the City of Providence to enter into a Construction, Maintenance and Ownership Agreement with the Rhode Island Department of Transportation for the purposes of rebuilding the Route 95 North Viaduct (RIC No. 2019-DB-106)

RESOLVED, That the Members of the Providence City Council hereby Authorize the Mayor of the City of Providence to enter into a Construction, Maintenance and Ownership Agreement with the Rhode Island Department of Transportation for the purposes of rebuilding the Route 95 North Viaduct (RIC No. 2019-DB-106.)

Resolution Requesting a permanent easement on the northeasterly side of Save the Bay Drive.

IT IS HEREBY RESOLVED, That His Honor, the Mayor, is authorized to grant an easement to Petitioner Bristol County Water authority ("Petitioner"). Said easement shall be granted specifically upon the following provisions.

- 1) The easement for the area identified on the cross-hatched area on the accompanying map entitled "Providence, R.I. Dept. Engineering Office Proposed Easement, Plan No.: 064867, Date: August 18, 2020" shall be for the purposes of installing a utility pole designed to protect the East Bay Pipeline from corrosion. The easement is more specifically described in Attachment A at A.P. 56 LOT 364 and shown as a cross-hatched area on the accompanying plan and designated by the letters A-B-C-D-A.
- 2) Said easement shall be deemed to run with the land and shall operate against any successor sin title and the easement or memorandum of the same shall be recorded by Petitioner in the Office of Land Records for the City of Providence.
- 3) Said easement shall be subject to a right of reverter/right of reversion in the event that the situs of the easement is no longer utilized for the aforestated purposes
- 4) The Petitioner agree to tender the amount of one hundred thirty-eight dollars (\$138.00) in United States currency to the City of Providence.
- 5) Petitioner agrees that Petitioner shall be responsible for the perpetual maintenance, repair, and replacement of the utility pole located within the subject site along with any connections made with any preexisting water main, conduit, conductors, metal anchors, or any other material relied upon for the operation, installation, or maintenance, of the utility pole itself.
- 6) Petitioner agrees to defend, indemnify, and otherwise hold harmless the City of Providence for any claims related to the easement, the related utility pole, and other issues arising from the installation, operation, and maintenance the utility pole and/or easement.
- 7) Petitioner agrees to such other terms and conditions as may be reflected in the record and minutes of the City Council Committee on Public Works and/or as may be deemed appropriate by the Mayor or the Department of Law.

COUNCILWOMAN RYAN Moves to Waive the Reading of items 21 through 23 and Moves Passage of the Several Resolutions, Seconded by COUNCILWOMAN HARRIS.

Resolution Requesting the Traffic Engineer to cause Mashapaug Street to be established as a "One-Way" Street from Huntington Avenue to Vineyard Street.

Resolution Requesting a permanent easement on the northeasterly side of Save the Bay Drive.

RESULT: PASSED [UNANIMOUS]

MOVER: Councilwoman Ryan

SECONDER: Councilwoman Harris

AYES: Council President Matos, Councilwomen Anthony, Castillo, Councilmen Espinal, Goncalves, Councilwoman Harris, Councilman Igliozi, Councilor Kerwin, Councilwoman LaFortune, Councilor Miller, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor – 13.

ABSENT: Councilmen Correia and Narducci – 2.

Resolution Authorizing the Mayor of the City of Providence to enter into a Construction, Maintenance and Ownership Agreement with the Rhode Island Department of Transportation for the purposes of rebuilding the Route 95 North Viaduct (RIC No. 2019-DB-106)

RESULT: PASSED [UNANIMOUS]

MOVER: Councilwoman Ryan

SECONDER: Councilwoman Harris

AYES: Council President Matos, Councilwomen Anthony, Castillo, Councilmen Espinal, Goncalves, Councilwoman Harris, Councilor Kerwin, Councilwoman LaFortune, Councilor Miller, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor – 12.

ABSENT: Councilmen Correia and Narducci – 2.

RECUSED: Councilwoman Igliozi – 1.

The Motion for Passage is Sustained.

COMMITTEE ON FINANCE
COUNCILMAN JOHN J. IGLIOZZI, Chairman

**Transmits the Following with Recommendation the Same be Severally
Approved:**

COUNCIL PRESIDENT MATOS, (By Request):

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

Bernabe Tennis Academy d/b/a Providence Tennis \$1,321,000.00 over a ten year lease
(Parks Department)

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(c) of the Code of Ordinances.

Bernabe Tennis Academy d/b/a \$1,321,000.00 over a ten year lease
Providence Tennis
(Parks Department)

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

Harris Govern \$1,172,450.00 for 36 months
(Information Technology Department)

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(a) of the Code of Ordinances.

Harris Govern \$1,172,450.00 for 36 months
(Information Technology Department)

**COUNCILWOMAN RYAN Moves Passage of the Several Resolutions and Refers Back to
the Board of Contract and Supply, Seconded by COUNCILWOMAN HARRIS.**

RESULT:	PASSED [UNANIMOUS]
MOVER:	Councilwoman Ryan
SECONDER:	Councilwoman Harris
AYES:	Council President Matos, Councilwomen Anthony, Castillo, Councilmen Espinal, Goncalves, Councilwoman Harris, Councilman Igliozi, Councilor Kerwin, Councilwoman LaFortune, Councilor Miller, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor – 13.
ABSENT:	Councilmen Correia and Narducci – 2.

The Motion for Passage is Sustained.

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

Communication from His Honor the Mayor dated January 8, 2021, 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 **Diagneris Garcia** of 75 Homer Street, Providence, Rhode Island 02905, as a member of the **Providence School Board** for a term to expire on January 31, 2024, and respectfully submits the same for your approval.

Transmits the Following with Recommendation the Same be Severally Received and Approved:

Communication from His Honor the Mayor, dated December 10, 2020, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 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 **Patricia LaSalle** of 49 Gallatin Street, Providence, Rhode Island 02907, as a member of the **Human Relations Commission** for a term to expire on January 31, 2024, and respectfully submits the same for your approval.

Communication from His Honor the Mayor, dated December 10, 2020, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 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 **Maria Monteiro** of 218 Home Avenue, Providence, Rhode Island 02908, as a member of the **Human Relations Commission** for a term to expire on January 31, 2024, and respectfully submits the same for your approval.

Communication from His Honor the Mayor, dated December 16, 2020, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 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 **Celeste Terry Lo** of 20 Lubec Street, Providence, Rhode Island 02904, as a member of the **Human Relations Commission** for a term to expire on January 31, 2024, and respectfully submits the same for your approval.

Communication from His Honor the Mayor dated January 6, 2021, Informing the Honorable Members of the City Council that pursuant to Section 302(b) and 1103 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 **Larome Myrick** of 12 Eagle Street, Providence, Rhode Island 02908, as a member of the **Human Relations Commission** for a term to expire on January 31, 2024, and respectfully submits the same for your approval. (Larome Myrick replaces John Gaffney.)

Communication from His Honor the Mayor dated January 8, 2021, 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 **Muyideen A. Ibiyemi** of 151 Ocean Street, Providence, Rhode Island 02905, as a member of the **Providence School Board** for a term to expire on January 31, 2024, and respectfully submits the same for your approval.

Communication from His Honor the Mayor dated January 8, 2021, 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 **Mark Santow** of 203 Rochambeau Avenue, Providence, Rhode Island 02906, as a member of the **Providence School Board** for a term to expire on January 31, 2024, and respectfully submits the same for your approval.

Communication from His Honor the Mayor dated January 6, 2021, 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 **Ty' Relle Stephens** of 38 Anthony Avenue, Providence, Rhode Island 02907, as a member of the **Providence School Board** for a term to expire on January 31, 2022, and respectfully submits the same for your approval. (Mr. Stephens replaces Lorraine Lalli who has resigned.)

COUNCILWOMAN RYAN Moves to Waive the Reading of items 26 through 33 and Moves to Receive and Approve, Seconded by COUNCILWOMAN HARRIS.

RESULT:	RECEIVED AND APPROVED [UNANIMOUS]
MOVER:	Councilwoman Ryan
SECONDER:	Councilwoman Harris
AYES:	Council President Matos, Councilwomen Anthony, Castillo, Councilmen Espinal, Goncalves, Councilwoman Harris, Councilman Iglioizzi, Councilor Kerwin, Councilwoman LaFortune, Councilor Miller, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor – 13.
ABSENT:	Councilmen Correia and Narducci – 2.

COMMITTEE ON ORDINANCES
COUNCILWOMAN JO-ANN RYAN, Chairwoman

Transmits the Following with Recommendation the Same be Adopted:

COUNCILOR SALVATORE, COUNCILWOMEN ANTHONY, CASTILLO, ESPINAL, GONCALVES, COUNCILWOMAN LAFORTUNE AND COUNCILOR MILLER

An Ordinance Amending Article XIII "Motor Vehicle Repair Business" of Chapter 14 "Licenses" of the Providence Code of Ordinances.

COUNCILWOMAN RYAN Moves Passage of the Ordinance the First Time, Seconded by COUNCILWOMAN HARRIS, by the following Roll Call Vote:

RESULT:	READ/PASSED FOR THE FIRST TIME [UNANIMOUS]
MOVER:	Councilwoman Ryan
SECONDER:	Councilwoman Harris
AYES:	Council President Matos, Councilwomen Anthony, Castillo, Councilmen Espinal, Goncalves, Councilwoman Harris, Councilman Iglioizzi, Councilor Kerwin, Councilwoman LaFortune, Councilor Miller, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor – 13.
ABSENT:	Councilmen Correia and Narducci – 2.

The Motion for Passage the First Time is Sustained.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

Tiffany Polite
Brianna Pelletier
Gene Lieder (Robert J Levine, Esquire)
Shelby Hanrahan
Liberty Mutual Insurance a/s/o Fausto Marte
Lorena Dobson
Sterling Camprell-Hays
Michael Moran
Michael B Nulman
Juan L Acevedo
Linda Urizar
Therese M Coutu
Michael Oconnor
Tevin Ith (Ryan P. Kelley, Esquire)
Brendan Feeley
Alexandra Bernard
Lynn Morgan (Jill M. Santiago, Esquire)
Lorri Shankar
Maria M Acevedo (David A. Ursillo, Esquire)

COUNCIL PRESIDENT MATOS 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 George Potsidis, Fili Investment, LLC, dated February 3, 2021, submitting the Annual Progress Report required by Section 9.1 of the Tax Stabilization Agreement between the City of Providence and Fili Investments, LLC (the "Owner"), dated October 21, 2019 (the "TSA").

COUNCIL PRESIDENT MATOS Receives the foregoing Communication.

RESULT: RECEIVED

PRESENTATION OF RESOLUTIONS "IN CONGRATULATIONS"

COUNCIL PRESIDENT MATOS 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:

Gloves Up Guns Down in recognition of the Grand Opening at 60 Silver Lake Avenue on February 6, 2021.

Robert Palazzo, Classical High School, in recognition of being the recipient of the NFHS coaches Association's 2020 National Track and Field coach of the Year.

Frank Martinez, UPS Driver, 02909, in recognition of being the recipient of the WBNA Appreciation Award on January 26, 2021.

Kaitlyn Alyece, Event Architects, in recognition of being the recipient of the WBNA Fueling Community Award on January 26, 2021.

Seven Stars Bakery Bread, Donation Program, in recognition of being the recipient of the WBNA Local Business Award on January 26, 2021.

Dorca Haller in recognition of David Haller posthumously receiving the WBNA Superlative Steward Award.

Ken Phillips, in recognition of being the recipient of the WBNA Ken & Rebecca Phillips Award on January 26, 2021.

Lori Williams, Asa Messer Elementary School, in recognition of being the recipient of the WBNA Neighborhood Public School Hero Award on January 26, 2021.

Maureen Bradley, Carl Lauro Elementary School, in recognition of being the recipient of the WBNA Neighborhood Public School Hero Award on January 26, 2021.

Sheri Mooney, West Broadway Middle School, in recognition of being the recipient of the WBNA Neighborhood Public School Hero Award on January 26, 2021.

Dr. Eugenio Fernandez Jr., Silver Bowl Award Honoree/Keynote Speaker, Dominican Independence Day Celebration, in recognition of his selflessness, passion and leadership in empowering our youth and community and his commitment to excellence in the field of medicine and public health.

Carmen Quero, Director, Dominican Independence Day Celebration, in recognition of their selfless dedication to Quisqueya in Action, the youth folklore group and the community as a whole.

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

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Councilwoman Ryan
SECONDER:	Councilwoman Harris
AYES:	Council President Matos, Councilwomen Anthony, Castillo, Councilmen Espinal, Goncalves, Councilwoman Harris, Councilman Igliozi, Councilor Kerwin, Councilwoman LaFortune, Councilor Miller, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor – 13.
ABSENT:	Councilmen Correia and Narducci – 2.

The Motion for Passage is Sustained.

PERSONAL EXPRESSION

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

"I am sure some of you heard, I received news this morning that Bob D'Uva passed away suddenly in his home. Those of you who new Bob, he was the President of the Federal Hill Commerce Association, he was also the publisher of the Rhode Echo. For those of you who new Bob, you knew that he was a strong advocate for the Italian-American community on Federal and throughout Rhode Island. He was also the strongest advocate for the vibrancy and the cultural importance of Federal Hill. Bob is certainly going to be missed, so I request that we adjourn in is memory tonight and keep him, his family and loved ones in your prayers during this difficult time."

PRESENTATION OF RESOLUTIONS "IN MEMORIAM"

COUNCIL PRESIDENT MATOS 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:

Shirley J Palmieri

Joseph E. Gallucci

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

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Councilwoman Ryan
SECONDER:	Councilwoman Harris
AYES:	Council President Matos, Councilwomen Anthony, Castillo, Councilmen Espinal, Goncalves, Councilwoman Harris, Councilman Igliozi, Councilor Kerwin, Councilwoman LaFortune, Councilor Miller, Councilwoman Ryan, Councilor Salvatore and Councilman Taylor – 13.
ABSENT:	Councilmen Correia and Narducci – 2.

The Motion for Passage is Sustained.

CONVENTION

There being no further business, on Motion of **COUNCILWOAN RYAN**, Seconded by **COUNCILWOMAN HARRIS**, it is voted to adjourn in memory of State Superior Court Judge Alton Wiley, Robert J. D'Uva and Shirley Acevado at 6:11 o'clock P.M., to meet again **THURSDAY, MARCH 4, 2021 at 5:30 o'clock P.M.**

A handwritten signature in black ink that reads "Shawn Selleck". The signature is written in a cursive, flowing style.

**SHAWN SELLECK
CITY CLERK**