

**CITY OF EAST PROVIDENCE**  
DOCKET—REGULAR COUNCIL MEETING  
TUESDAY, AUGUST 20, 2019  
CALL TO ORDER: 6:30 P.M.  
*Council May Call Executive Session in Room 101*  
OPEN SESSION: 7:00 P.M.  
145 TAUNTON AVENUE – CITY COUNCIL CHAMBERS  
EAST PROVIDENCE, RHODE ISLAND

City Council:  
Council President, Robert Britto – Ward 1  
Council Vice-President: Bob Rodericks – At Large  
Councilwoman Anna Sousa – Ward 2  
Councilman Nate Cahoon – Ward 3  
Councilman Ricardo Mourato – Ward 4

**I. CALL TO ORDER**

**II. INVOCATION OF EXECUTIVE SESSION – FOR VOTE**

The City Council of East Providence may meet in Executive Session pursuant to Rhode Island General Laws §42-46-5 (a) (2), §42-46-5 (a) (5), § 42-46-5 (a) (1)

**Councilman Rodericks made the motion to move to Executive Session, Councilman Cahoon seconded the motion. Motion passes unanimously.**

**a) Litigation**

1. GEO NOVA DEVELOPMENT CO. VS. CITY  
C.A. NO. PB-09-5341  
Status Update/Compromise Settlement Discussion of Prior Bidder
2. Richard Kirby vs. City of East Providence  
C.A. No. 19-6124  
Status Update

- b) Odd Fellows Hall  
63-65 Warren Avenue  
Purchase & Sale Agreement  
Review, Discussion & Vote

- c) City Clerk-City Council Relationship (Clarification)

**d) NEW CLAIMS**

1. Kimberly Chapman
2. Otila Oliveria
3. Sobeida E. and Otto Piedrasanta

**e) SEWER CHARGE ABATEMENTS – FOR VOTE**

1. Paul Eannarino
2. Nancy Schempp
3. Lionel Viera (Viera Rentals)
4. Weixing Vincent Wang

**III. OPEN SESSION **

**IV. PLEDGE OF ALLEGIANCE **

**V. APPROVAL OF CONSENT CALENDAR – FOR VOTE **

All items under, “Consent Calendar” are considered to be of a routine and noncontroversial nature by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council members so requests, in which event the item will be removed from said Consent Calendar and will be considered in its normal sequence in the docket.

- a) Council Journals – March 26, 2019, April 16, 2019, April 23, 2019 and June 27, 2019, (Regular and Executive Session)**  
**Councilwoman Sousa made the motion to approve the minutes and seal the minutes from executive session, seconded by Councilman Cahoon. Motion passes unanimously.**

**b) Cancelation/Abatements (Assessor) – FOR VOTE**

**1. June 2018**

YEAR	AMOUNT
2017	\$ 594.19
2018	\$ 2,957.97
2019	\$ 1,393.21
<b>TOTALS</b>	<b>\$ 4,945.37</b>

2. August 2018	
YEAR	AMOUNT
2018	\$ 320.54
2019	\$ 3,696.70
<b>TOTALS</b>	<b>\$4,017.24</b>

**Motion to approve from Council Vice President Rodericks. Seconded by Councilman Cahoon. Motion passes unanimously.**

- a) **Council Vice President Rodericks asked for unanimous consent to move up the item.**  
 RESOLUTION REQUESTING THAT THE EAST PROVIDENCE CITY COUNCIL RE-NAME THE EAST PROVIDENCE SENIOR CENTER AS THE "ROBERT E. ROCK SENIOR CENTER"  
 This was approved. Please see item E under, Resolutions for notations.

**VI. LICENSES NOT REQUIRING PUBLIC HEARING – FOR VOTE **

**a) Special Event – Alcoholic Beverage**

- Maryann Marques  
 Event: Fish Dinner Fundraiser  
 Date: September 14, 2019  
**Motion to approve from Councilwoman Sousa, Seconded by Council Vice President Rodericks. Motion passes unanimously.**
- Maryann Marques (St. Francis Xavier)  
 Event: 30 Week Dinner Club  
 Date: October 19, 2019  
**Motion to approve from Councilwoman Sousa, seconded by Council Vice President Rodericks. Motion passes unanimously.**
- Susan Costa (East Providence Elks Lodge #2337)  
 Event: Outdoor Family-Orientated Movie Viewing  
 Date: August 16, 2019 (Rain Date: August 17, 2019)  
**Motion to approve from Councilwoman Sousa, seconded by Council Vice President Rodericks. Motion passes unanimously.**

**b) Application for One Day Entertainment License**

- Susan Costa (East Providence Elks Lodge #2337)  
 Event: Outdoor Movie on the Lawn  
 Date: August 16, 2019 (Rain Date: August 17, 2019)  
**Motion to approve from Councilwoman Sousa, seconded by Council Vice President Rodericks. Motion passes unanimously.**

**c) Application for Flea-Market License**

- Tanisha Thomber  
 Burrito Bowl – 809 Broadway, 02914  
**Motion to approve from Council Vice President Roderick, seconded by Councilwoman Sousa. Motion passes unanimously.**

**d) Application for Hawker License**

- Roxanne Gomes  
 49 Swan Street, 02914  
**Applicant was not present. Councilwoman Sousa made the motion to table until the following meeting for more information, seconded by Council Vice President Rodericks. Motion passes unanimously.**

**e) Application for Peddler License**

- Union Burrito  
 Ruarri Miller  
 326 Bullocks Point Avenue, 02915  
**Concern was mentioned by the City Clerk regarding the license process.**  
**Motion to approve by Council Vice President Rodericks, seconded by Council Cahoon. Motion passes unanimously.**

(Applications for Peddler Drivers)

Ruarri Miller  
 64 Channing Avenue, 02915  
**Motion to approve by Council Vice President Rodericks, seconded by Council Cahoon. Motion passes unanimously.**

Christia Miller  
 124 Smith Street, 02915  
**Motion to approve by Council Vice President Rodericks, seconded by Council Cahoon. Motion passes unanimously.**

- JA Patty RI  
 Alison Rosario  
 560 Mineral Spring Avenue #2-136  
 Pawtucket 02860  
**Motion to approve by Councilwoman Sousa, seconded by Councilman Mourato. Motion passes unanimously.**

(Applications for Peddler Driver)

Conroy Outar  
 1643 Warwick Avenue  
 Warwick, 02889  
**Motion to approve by Councilwoman Sousa, seconded by Councilman Mourato. Motion passes unanimously.**

## VII. COMMUNICATIONS

- a) Birthday Party/Block Party  
"To block off Pilgrim Avenue on the Roger Williams side entrance until the end of Pilgrim Avenue"  
Steven Moura  
**Applicant present and spoke at the podium. Roger Williams to the end of his parent's property requested. Campbell Street to remain open. Motion to approve made by Council Vice President Rodericks, seconded by Councilman Cahoon. Motion passes unanimously.**
- b) Flooding Along Runnins River  
William M. Lewis  
**Party present to speak. Wanted to talk about the back portion of the Runnins River on the backside of Lucky's and if anything can be done about it. Councilwoman Sousa responded to this inquiry and mentioned that she will be holding a community meeting next and this scenario will be addressed.**
- c) **Mayoral Communications**
  1. Auditing Standard No. 114, "The Auditor's Communication with Those Charged with Governance" regarding audit of City of East Providence, Rhode Island  
Paul Luba was standing in for the Finance Director, Malcolm Moore.  
Items were passed out from the auditing firm, in accordance with 2.9 of the Charter. The auditor should report to the Council, according to Mr. Luba, and will talk about any control issues the auditing firm may have had. The auditing process was briefly explained to the Council.  
Questions asked by Councilman Cahoon regarding the timeline and the alignment of Charter provisions and budget season. Mr. Luba replied stating the audit will always be late because the state provides the pension information late, and that is what causes the delay.
  2. Memo of Understanding Regarding Council Request for Information/Department Head  
**Mayor DaSilva presented on this item and an update on this item. The mayor prefaced with historical references on the election that chose the mayoral form of government and Charter change. The mayor requested the form be filled out four days before the Council meeting for any department heads or qualified employees to be present at the Council meeting. The mayor mentioned that Mr. David O'Connell approached the mayor with the form that he adopted. The mayor continued to read the full memo in its entirety.**

### PUBLIC COMMENT

All persons wishing to make public comment shall sign a public comment sheet stating their name, address and the subject of their docket related item to speak on. This sheet shall be available on a desk at the entrance of the City Hall Chambers no later than forty five (45) minutes before the call to order of any regularly scheduled council meeting and shall be delivered by the City Clerk to the presiding officer no earlier than five (5) minutes before the call to order of the meeting. Each speaker will be limited to three (3) minutes. The order of the speakers will be on a first come, first serve basis and the maximum time for public comment shall be limited to thirty (30) minutes per meeting.

#### **Michelle Silva-Topic: Rats**

Ms. Silva approached the Council that there is an issue with rat infestation. Code enforcement has been out and was told that they are out due to construction. She lives on Mary Avenue. Ms. Silva also mentioned how other cities have rat programs and wondered if we could possibly have something similar.


#### **Marc Furtado Topic: Traffic Control and Notification of Employees to Speak on Docket Items**

Traffic control project is in the works to codify the ordinance, due to the language being, "/tall over the place". Resolutions were established in separated by traffic control and crossing guards in 1991. (Councilwoman Sousa did mention 1998 and has been amended several times). Mr. Furtado mentioned that he would like to get this done for safety and legal purposes.  
In regards to the Fleet Management conversation, the Fleet Manager is present.

#### **Ken Goucher-Topic: Food truck on Warren Avenue**

Mr. Goucher mentioned Valley Towing business and how there is a food truck that is there. He mentioned concern of this being a safety issue. Mr. Goucher mentioned that maybe there can be no parking signs posted. Councilman Mourato and Council Vice President Rodericks responded to Mr. Goucher. Council Vice President Rodericks stated that he will look into this more. Councilwoman Sousa stated that last year the previous Council did create legislation within the ordinance over location approvals for peddlers. Council Vice President Rodericks mentioned that possibly that we clarify locations should we amend the ordinance. Solicitor Marcello mentioned of the new Mobile Food Establishments (MFE) have been set by the state and needs to be in place by December 31, 2019. Mr. Marcello did mention that the City can regulate the locations within the City. Councilwoman Sousa did mention that a lot of people in the community park right up to the corner of the street and that maybe a marker would be helpful to remind people of where to park and where not to park. Council President Britto mentioned that the area around Red Bridge does have this already. Councilman Mourato suggested having the police department evaluate the area and see if this really is a blind spot for people and working with DPW to mark it as a, "No Parking Zone".


## VIII. COUNCIL MEMBER COMMUNICATIONS

- a) Removal of abandoned India Point Railroad Bridge Discussion  
Council Vice President Rodericks  
**Council Vice President Rodericks spoke in favor and offered points of interest to support the removal and the support from both Senator Whitehouse's and Mayor DaSilva's office.**
- b) Update on School Department Infrastructure Maintenance, Discussion Only - Anthony Feola   
Council Vice President Rodericks  
**By unanimous consent of the Council, this was moved up after Communications. Report was handed out to the Council regarding updates on all projects, including new gym floors, new heating systems, sprinklers, new cafeteria tables in every elementary school, new paint in all elementary schools, work with National Grid regarding switching to LED lights in the schools. All elementary schools have been switched out, for the exception of Myron (who they are currently working on). New security measures, including the new visitor 10 security system were also presented.**
- c) Business License Procedure Discussion-Mobile Food Establishment and BCI Checks for Drivers  
Councilman Mourato  
**Item deferred to a future council.**
- d) City Clean Up Discussion  
Councilwoman Sousa  
**Item deferred to the next meeting.**

- e) Culvert Project Discussion – Warren Avenue  
Councilwoman Sousa  
**Item deferred to the next meeting.**
- f) Traffic Control Appointment Discussion  
Councilwoman Sousa  
**Item deferred to the next meeting.**
- g) Conditions and Upkeep of City Sidewalks  
Councilman Cahoon  
**Item deferred to the next meeting.**
- h) Proposed Amendments to Chapter 3 of City Ord – Animal  
Council President Britto  
**This was deferred to the next meeting.**

## IX. ORDINANCES

### 1. FIRST PASSAGE – FOR VOTE

- a) AN ORDINANCE IN AMENDMENT OF CHAPTER 11 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED ENTITLED "PERSONNEL" (Section 11-4 and 11-31)   
Sponsored by Council Vice President Rodericks

*SEE [ATTACHED](#) FOR FULL ORDINANCE*

**Chief of Personnel, Victor Santos and the library Director, Michael Carlozzi were both present to speak in favor of this ordinance. Motion to approve by Councilman Cahoon, seconded by Council Vice President Rodericks. Motion approves unanimously.**

- b) AN ORDINANCE OF THE CITY OF EAST PROVIDENCE AUTHORIZING THE CITY TO FINANCE THE ACQUISITION, CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW HIGH SCHOOL AND ALL EXPENSES INCIDENT THERETO, INCLUDING, BUT NOT LIMITED TO, COSTS OF DESIGN, DEMOLITION, ATHLETIC FIELDS, LANDSCAPING AND PARKING BY THE ISSUANCE OF NOT MORE THAN \$189,500,000 BONDS, NOTES AND/OR OTHER EVIDENCES OF INDEBTEDNESS THEREFOR, SUBJECT TO APPROVAL OF STATE HOUSING AID AT A REIMBURSEMENT RATE OR STATE SHARE RATIO OF NOT LESS THAN 50% FOR EXPENDITURES ELIGIBLE FOR STATE AID AND PROVIDED THAT THE AUTHORIZATION SHALL BE REDUCED BY ANY GRANT RECEIVED FROM THE SCHOOL BUILDING AUTHORITY CAPITAL FUND  
Sponsored by Councilman Cahoon

*SEE [ATTACHED](#) FOR FULL ORDINANCE*

*To view complete ordinances go to: <https://clerkshq.com/EastProvidence-ri>*

**Councilman Cahoon mentioned that the Council needs approve the actual action of taking the bond and the details of it. Motion to approve was made by Councilwoman Sousa and seconded by Councilman Cahoon. Motion passes unanimously.**

### 2. PUBLIC HEARING, SECOND PASSAGE – FOR VOTE

- a) AN ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED "ADMINISTRATION"  
Section 116-150  
Sponsored by Councilman Cahoon

*SEE [ATTACHED](#) FOR FULL ORDINANCE*

*To view complete ordinances go to: <https://clerkshq.com/EastProvidence-ri>*

**Public hearing offered three times by Council President Britto.**

**Marc Furtado approached the podium to be of assistance, should additional information be provided. No other parties approached the podium.**

**Public hearing closed.**

**Motion to approve made by Councilman Cahoon. Seconded by Councilwoman Sousa. Motion passes unanimously.**

- b) AN ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED "ADMINISTRATION"  
Section 166-178  
Sponsored by Councilman Cahoon

*SEE [ATTACHED](#) FOR FULL ORDINANCE*

**Adding two members (representing citywide), per the charter, Mayor appointed, Council approved are part of the revisions. Planning board is set by state statute. Public hearing offered three times by Council President Britto. Public comment was closed due to no parties coming to the podium to speak. Motion to approve by Councilman Cahoon. Seconded by Council Vice President Rodericks. Motion passes unanimously.**

*To view complete ordinances go to: <https://clerkshq.com/EastProvidence-ri>*

## X. OLD BUSINESS

### 1. Resolutions to Request Items through the Mayor's Office – Solicitor Interpretation

Councilman Mourato

**Councilman Mourato yielded this item for update to Solicitor Marce110. The solicitor mentioned that there seemed to be a misunderstanding in the intention of this item, but he will research it and follow up at the next Council meeting.**

### 2. City Fleet Information Follow-Up for 2019-2020 Budget

Councilman Mourato

## **BREAK IN MEETING FLOW FOR MOTION TO EXTEND:**

**Councilwoman Sousa made the motion to extend the meeting to extend the meeting by 1.5 minutes. Seconded by Council Vice President Rodericks. Motion passes unanimously.**

**Fleet Manager, Rory McMahan was present for the meeting. Councilman Mourato had a few questions about the take home vehicles for the City**

employees. Expenses on the report were per year for the vehicles on the report. November 1, 2018 until the beginning of the month is the look back period for the report.

## XI. NEW BUSINESS

### a) REPORTS OF OTHER CITY OFFICIALS

1. City Solicitor, Michael J. Marcello - Claims Committee Report  
**Nothing to report at the time, as it was not addressed b**

2. Office of the City Clerk – Office Needs Regarding Safety  
Samantha Burnett

City Clerk, Samantha Burnett, spoke regarding her department and the need for safety measures, beginning with a lock on the swing gate and a new lock on the door that leads to the office. This has been requested for over several months and not been fulfilled. Ms. Burnett used the comparison of the Mayor's office renovations of \$30,000 and we have requested a \$6.00 lock.

Mayor DaSilva approached the podium and recognized that the Clerk's office is a very open area and that he would like to add this to the Capital Improvement Plan. He mentioned collections needed this as well. Mayor DaSilva did mention that the Clerk's office can be provided the lock on the swing door.

Council Vice President Rodericks asked about having someone in the reception area.

Mayor DaSilva mentioned that they plan on filling that position.

Council Mourato and Council Vice President both mentioned that the Clerk has mentioned this item before.

### b) HANDICAP PARKING REQUESTS –FOR VOTE

1. 1196 Allerton Avenue

Motion to approve by Councilwoman Sousa, seconded by Council Vice President Rodericks. Motion approved unanimously.

2. 26 Donnelley Street

3. Motion to approve by Councilwoman Sousa, seconded by Council Vice President Rodericks. Motion approved unanimously.

## >XII. RESOLUTIONS /h2>

b) **RESOLUTION** TO ESTABLISH PARTNERSHIP WITH THE EAST PROVIDENCE SCHOOL COMMITTEE FOR COMMUNITY SERVICE HOURS FOR STUDENTS  
Introduced by Councilman Mourato and Councilwoman Sousa

SEE ATTACHED FOR FULL RESOLUTION

To view complete resolutions go to: <https://clerkshq.com/EastProvidence-ri>

Councilwoman Sousa presented the resolution to the Council. This resolution will include students' service hours needed for graduation and hours needed for those who are in need of fulfilling requirement for the Juvenile Hearing Board. Motion to approve from Councilwoman Sousa to approve, seconded by Councilman Cahoon. Motion passes unanimously.

c) **RESOLUTION** ESTABLISHING THE LANGUAGE OF A PROPOSED AMENDMENT TO THE EAST PROVIDENCE CITY CHARTER AS WILL BE VOTED ON AT THE SUBSEQUENT CHARTER REFERENDUM  
Introduced by Councilman Mourato

SEE ATTACHED FOR FULL RESOLUTION

To view complete resolutions go to: <https://clerkshq.com/EastProvidence-ri>

Motion to approve made by Councilman Mourato. Council Vice President had some clarifying questions regarding the price of a special election and mentioned that hopefully we can have the MOI understood so this doesn't need to happen.

d) **RESOLUTION** AUTHORIZING THE MAYOR TO CONVEY PROPERTY LOCATED AT 63-65 WARREN AVENUE MORE COMMONLY KNOWN AS THE ODD FELLOWS HALL  
Introduced by Councilwoman Sousa

SEE ATTACHED FOR FULL RESOLUTION

To view complete resolutions go to: <https://clerkshq.com/EastProvidence-ri>

Motion to approve by Councilwoman Sousa. Seconded by Council Vice President Rodericks. Motion passes unanimously.

e) **RESOLUTION** REQUESTING THAT THE EAST PROVIDENCE CITY COUNCIL RE-NAME THE EAST PROVIDENCE SENIOR CENTER AS THE "ROBERT E. ROCK SENIOR CENTER"  
Introduced by Council Vice President Rodericks

SEE ATTACHED FOR FULL RESOLUTION

To view complete resolutions go to: <https://clerkshq.com/EastProvidence-ri>

Council Vice President Rodericks presented the Resolution, with background, including national accreditation acquired under Mr. Rock's leadership. Motion made by Councilman Cahoon, seconded by Council Vice President Rodericks. Motion passes unanimously. Mr. Rock was invited to speak at the podium and he spoke words of gratitude.

f) **RESOLUTION** AUTHORIZING THE MAYOR TO PAY INVOICES FOR PRECONSTRUCTION EXPENSES FOR THE NEW EAST PROVIDENCE HIGH SCHOOL (July 2019)  
Introduced by Councilman Cahoon

SEE ATTACHED FOR FULL RESOLUTION

To view complete resolutions go to: <https://clerkshq.com/EastProvidence-ri>

Councilman Cahoon presented the resolution to the Council. Motion to approve by Councilman Cahoon. Seconded by Councilwoman Sousa. Motion passes unanimously.

## XIII. Reconvene in Executive Session (if necessary) to Complete Items Under Section II, Executive Session Council reconvened in Executive Session.

## XIV. ADJOURNMENT - FOR VOTE

Councilman Cahoon made the motion to adjourn. Councilman Mourato seconded the motion. Motion passes unanimously.

*If communication assistance is needed or any other accommodations to ensure equal participation, please contact the City Clerk, Samantha Burnett at 401.435.7596*



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**CITY OF EAST PROVIDENCE**

**CHAPTER**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 11 OF THE  
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,  
RHODE ISLAND, 1998, AS AMENDED ENTITLED "PERSONNEL"**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:**

**SECTION I.** Sec. 11-4 entitled "Duties of personnel director" of Article I entitled "In General" of Chapter 11 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled "Personnel" is amended to read as follows:

**Sec. 11-4. Duties of personnel director.**

The director, as head of the department of personnel, shall direct and supervise all its administrative and technical activities. In addition to the duties imposed upon him elsewhere in this chapter, it shall be his duty:

- (1) To apply and carry out this chapter and the rules adopted thereunder;
- (2) To establish and maintain a roster of all employees in the city service in which there shall be set forth as to each employee the class title, pay or status and other pertinent data;
- (3) To prepare a position classification plan and class specifications and revisions thereof for the consideration of the ~~city manager~~ **mayor**;
- (4) To prepare a compensation plan for the city service for consideration and approval by the ~~city manager~~ **mayor** and city council;
- (5) To foster and develop programs for the improvement of employee effectiveness, including training, safety, health and counseling;
- (6) To investigate from time to time the operation and effect of this chapter and of the rules made thereunder and to report his findings and recommendations to the ~~city manager~~ **mayor** and city council;
- (7) **To certify to the appointing authority employment and promotional lists. In the absence of the personnel director, due to vacancy of position, leave of absence, or extended leave, the Mayor or his or her designee may certify the employment and promotional lists.**

**SECTION II.** Sec. 11-31 entitled "Duties" of Article II entitled "Hearing Board" of Chapter 11 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled "Personnel" is amended to read as follows:

**Sec. 11-31. Duties.**

In addition to the duties set forth elsewhere in the Charter and this article, the hearing board shall:

- ~~(1) Certify to the appointing authority employment and promotional lists;~~
- ~~(2)~~ (1) Hear appeals of employees in the classified service who appeal from a decision of the ~~city manager~~ **mayor** in event of removal, suspension, demotion or transfer;
- ~~(3)~~ (2) Advise the personnel director, the ~~city manager~~ **mayor** and the city council on matters of personnel policy and problems of personnel administration;
- ~~(4)~~ (3) Represent the public interest in the improvement of personnel administration in the city service;
- ~~(5)~~ (4) Make annual reports and such special reports as are necessary to the ~~city manager~~ **mayor** and city council.

**SECTION III.** This ordinance shall take effect upon its second passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Given first passage \_\_\_\_\_ and referred to \_\_\_\_\_ at 7:00 P.M. for a hearing and consideration of final passage and adopted

Attest:

\_\_\_\_\_  
City Clerk of East Providence, Rhode Island

Introduced by: Council Vice President Rodericks



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**CITY OF EAST PROVIDENCE**

**CHAPTER**

**AN ORDINANCE OF THE CITY OF EAST PROVIDENCE AUTHORIZING THE CITY TO FINANCE THE ACQUISITION, CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW HIGH SCHOOL AND ALL EXPENSES INCIDENT THERETO, INCLUDING, BUT NOT LIMITED TO, COSTS OF DESIGN, DEMOLITION, ATHLETIC FIELDS, LANDSCAPING AND PARKING BY THE ISSUANCE OF NOT MORE THAN \$189,500,000 BONDS, NOTES AND/OR OTHER EVIDENCES OF INDEBTEDNESS THEREFOR, SUBJECT TO APPROVAL OF STATE HOUSING AID AT A REIMBURSEMENT RATE OR STATE SHARE RATIO OF NOT LESS THAN 50% FOR EXPENDITURES ELIGIBLE FOR STATE AID AND PROVIDED THAT THE AUTHORIZATION SHALL BE REDUCED BY ANY GRANT RECEIVED FROM THE SCHOOL BUILDING AUTHORITY CAPITAL FUND**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:**

SECTION 1. Pursuant to Local Acts 113 and 146 of 2018 and a vote of the electorate on November 6, 2018 (the "Authorization"), the City Finance Director and the Mayor are hereby authorized to issue on behalf of the City, an amount not exceeding One Hundred Eighty-Nine Million Five Hundred Thousand (\$189,500,000) bonds of the City to finance the acquisition, construction, furnishing and equipping of a new high school and all expenses incident thereto, including, but not limited to, costs of design, demolition, athletic fields, landscaping and parking (the "Project").

SECTION 2. The said officers from time to time may issue and refund not exceeding \$189,500,000 interest bearing or discounted notes in anticipation of the issue of said bonds or in anticipation of the receipt of federal or state aid for the purpose specified in Section 1 hereof.

SECTION 3. The manner of sale, amount, denominations, maturities, conversion or registration privileges, interest rates, medium of payment, and other terms, conditions and details of the bonds or notes may be fixed by the officers authorized to sign the bonds. The City may enter into a financing and/or other agreements with the Rhode Island Health and Educational Building Corporation pursuant to Title 45, Chapter 38.1 of the General Laws or the Rhode Island Infrastructure Bank pursuant to the provisions of Title 46, Chapter 12.2 of the General Laws.

SECTION 4. The said officers from time to time may, apply for, contract for and expend any federal or state advances or other grants or assistance which may be available for the purposes specified in Section 1 hereof.

SECTION 5. Pending the issuance of the bonds under Section 1 hereof, the City Council may, by resolution, authorize the City Finance Director to expend funds from the general treasury of the City or other monies on hand for the purposes specified in Section 1 hereof. Any advances made under this section shall be repaid without interest from the proceeds of the bonds or notes issued hereunder or from the proceeds of applicable federal or state assistance or from other available funds.

SECTION 6. The City Finance Director and the Mayor of the City are also authorized, empowered and directed, on behalf of the City, to: (i) execute, acknowledge and deliver any and all other documents, certificates or instruments necessary to effectuate such borrowing, including, without limitation, a Preliminary Official Statement, a final Official Statement, all in such form and with such provisions as such officer shall deem advisable; (ii) amend, modify or supplement the bonds any and all other documents, certificates or instruments at any time and from time to time, in such manner and for such purposes as such officers shall deem necessary, desirable or advisable; (iii) do and perform all such other acts and things deemed by such officers to be necessary, desirable or advisable with respect to any matters contemplated by this resolution in order to carry out said borrowing and the intent hereof.

SECTION 7. The City Finance Director and the Mayor are authorized to take all actions necessary to comply with federal tax and securities laws including Rule 15c2-12 of the Securities and Exchange Commission (the "SEC Rule") and to execute and deliver a Continuing Disclosure Certificate in connection with the bonds or notes in the form as shall be deemed advisable by the City Finance Director and the Mayor in order to comply with the SEC Rule. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, as it may be amended from time to time. Notwithstanding any other provision of this resolution or the bonds, failure of the City to comply with the Continuing Disclosure Certificate shall not be considered an event of default; however, any bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Section and under the Continuing Disclosure Certificate.

SECTION 8. This ordinance is an affirmative action of the City Council of the City toward the issuance of the bonds or notes in accordance with the purposes of the laws of the State of Rhode Island. This ordinance constitutes the City's declaration of official intent, pursuant to Treasury Regulation §1.150(2), to reimburse the City for certain capital expenditures for the Project paid on or after the date which is sixty (60) days prior to the date of this ordinance but prior to the issuance of the bonds or notes. Such amounts to be reimbursed shall not exceed \$189,500,000 and shall be reimbursed not later than eighteen (18) months after the later of (a) the date on which the expenditure is paid or (b) the date the Project is placed in service or abandoned but in no event later than three (3) years after the date the expenditure is paid.

SECTION 9. The City Finance Director and the Mayor are hereby authorized to take all lawful action necessary or desirable under the Internal Revenue Code of 1986, as amended (the "Code"), to insure that the interest on the bonds and notes will remain exempt from federal income taxation to the extent provided in Section 103 of the Code, and to refrain from taking any action which will cause interest on the bonds or notes to lose the benefit of exclusion from gross income provided by Section 103(a) of the Code.

SECTION 10. The issuance of the Bonds and Notes hereunder is subject to approval of state housing aid at a reimbursement rate or state share ratio of not less than 50% for expenditures eligible for state aid and this authorization shall be reduced by any grant received from the school building authority capital fund.

SECTION 11. This ordinance shall take effect upon its second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Given first passage \_\_\_\_\_ and referred to \_\_\_\_\_ at 7:00  
p.m. for a hearing and consideration of final passage; and adopted \_\_\_\_\_ .

Attest:

\_\_\_\_\_  
City Clerk of East Providence, Rhode Island

Sponsored by: Councilman Cahoon, Council Vice President Rodericks

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**CITY OF EAST PROVIDENCE**

**CHAPTER**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE  
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,  
RHODE ISLAND, 1998, AS AMENDED, ENTITLED “ADMINISTRATION”**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:**

**SECTION I.** Division 5 entitled “Economic Development Commission” of Article III entitled “Boards, Committees, Commissions” of Chapter 2 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Administration” is amended to read as follows:

**Sec. 2-116. Established; composition.**

An economic development commission is hereby established in and for the city to consist of nine regular members and the ~~city manager~~ Mayor or designee, the director of planning and economic development or designee and a liaison from the East Providence Chamber of Commerce who shall be ex officio, voting members. Each of the nine regular members of the commission shall be a qualified elector of the city at the time of their appointment and during their incumbency. A strong preference in appointing members shall be given to nominees who have a strong financial background with experience in the fields of banking, accounting, insurance and commercial real estate.

**Sec. 2-117. Appointment, term and compensation of members.**

The members of the economic development commission shall be appointed by the mayor, subject to approval by the city council, and shall serve without compensation for a term of five years, provided that the original selections for the nine-member commission shall serve staggered terms. Thereafter each appointment shall be made at the expiration of each term and shall be effective for five years from the date of appointment. The mayor, with the advice and consent of the council, shall have the authority to reappoint members.

**Sec. 2-118. Filling of vacancies.**

Vacancies occurring in the economic development commission shall be filled for the unexpired term by an appointment by the Mayor and confirmation by a majority of the city council.

**Sec. 2-119. Removal of members.**

The city council, by a majority vote, shall have the authority to remove any member of the economic development commission from office whenever, in its discretion, the best interests of the city shall be served thereby.

**Sec. 2-120. Election of officers.**

Within 30 days after their appointment, the members of the economic development commission shall meet in regular session and shall organize by electing from their members a chair and secretary. The commission shall elect a chair and a secretary who shall hold office until December 31 of the following year. The commission shall have the authority to elect such other officers as it may deem necessary.

**Sec. 2-121. Duties of officers.**

- (a) It shall be the duty of the chair to preside over all meetings of the economic development commission. In his **or her** absence, an acting chair may be elected to preside.
- (b) It shall be the duty of the secretary to keep a record of all proceedings of the commission, transmit its recommendations to the mayor and the city council and perform such other duties as are usually performed by the secretary of a deliberative body.

**Sec. 2-122. Rules and procedures.**

The economic development commission, by the affirmative vote of a majority of its regular members, may adopt rules to govern its meetings and procedures. The rules may be amended from time to time, but only upon notice to all members that such proposed amendments shall be acted upon at a specified meeting. The affirmative vote of a majority of the regular members of the commission shall be required for the approval of the proposed amendment.

**Sec. 2-123. Quorum.**

A quorum, which shall consist of a majority of current, actively appointed members of the economic development commission, shall be necessary for the conduct of any business of the commission. Ex-officio members in attendance shall also be included as part of the quorum count.

**Sec. 2-124. Regular and special meetings.**

The chair of the economic development commission shall have the authority to call regular meetings, and special meetings may be called by the ~~city council~~ **Director of Planning and Economic Development or his or her designee**, the chair or any five members of the commission, provided that written notice shall be given to all members.

**Sec. 2-125. Absence from four consecutive regular meetings to constitute retirement of member; filling vacancy of retired member.**

Absence from four consecutive regular meetings without the formal consent of the economic development commission shall be deemed to constitute retirement of a member, and the vacancy thus created shall be filled thereafter by the appointment, in accordance with the provisions of section 2-117, of a successor to fill the unexpired term of office.

**Sec. 2-126. Powers and duties—Generally.**

The economic development commission shall have the following powers and duties:

- (1) To confer with and advise the city council and mayor on all matters concerning economic development in the city;
- (2) To advertise the economic advantages and opportunities of the city within the means provided by any appropriations made therefor by the council;
- (3) To study, investigate and appraise economic conditions and trends affecting the city's industry, business and commerce;
- (4) To collect data and information as to the type of industries best suited to the city;
- (5) To compile, coordinate and promulgate information regarding available areas suitable for commercial development in the city;
- (6) To encourage the proper zoning and orderly development of areas suitable for commercial development of the city;
- (7) To aid the city administration, city council and mayor in the attraction of new businesses and encouraging the expansion of existing industries and businesses;
- (8) To cooperate with all community groups that are dedicated to the orderly economic expansion of the city and to furnish them such aid and advice as is deemed appropriate;
- (9) To cooperate with all industries and businesses in the city in the solution of any community problems which they might have and to encourage the management of such concerns to have a healthy and constructive interest in the city's welfare;
- (10) To periodically survey the overall condition of the city from the standpoint of determining whether the city has the climate and furnishes services and facilities that are conducive to economic expansion;
- (11) The commission may advertise, prepare, print or distribute maps, charts, plans and pamphlets which in its judgment it deems necessary to the performance of its duties as set forth in this section within the limit of any funds that may be provided for such purposes.
- (12) To confer with and to provide an advisory opinion to the ~~city manager~~ **Mayor** regarding all commercial and micro loan applications for loans in an amount under \$100,000.00.
- (13) To confer with and to provide an advisory opinion to the ~~city manager~~ **Mayor** and city council regarding all commercial and micro loan applications in an amount over \$100,000.00.

(14) To confer with and to provide an advisory opinion to the city council on extended tax stabilization applications pursuant to the authority given to the commission under city ordinance section 16-68(a)(5).

**Sec. 2-127. Same—Limitations.**

Except as may otherwise be provided by ordinance, the powers and duties of the economic development commission are of an advisory nature only, and the commission shall not have any powers or duties which conflict with or supersede the powers and duties of other city commissions or boards.

**Sec. 2-128. City officials to cooperate.**

All officers and department heads of the city shall cooperate with the economic development commission and render all reasonable assistance.

**Sec. 2-129. Commission not to incur financial liability in name of city.**

Neither the economic development commission nor any member thereof shall incur any financial liability in the name of the city.

**Sec. 2-130. Annual report.**

The economic development commission shall render annually in the month of January a full report of its activities to the city council.

**Secs. 2-131—2-150. Reserved.**

**SECTION II.** This ordinance shall take effect upon its second passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Given first passage \_\_\_\_\_ and referred to \_\_\_\_\_ at 7:00 p.m. for a hearing  
and consideration of final passage and adopted

Attest:

\_\_\_\_\_  
City Clerk of the City of East Providence, RI

Introduced by: Councilman Cahoon

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CITY OF EAST PROVIDENCE

CHAPTER

AN ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE  
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,  
RHODE ISLAND, 1998, AS AMENDED, ENTITLED "ADMINISTRATION"

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

**SECTION I.** Division 7 entitled "Planning Board" of Article III entitled "Boards, Committees, Commissions" of Chapter 2 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled "Administration" is amended to read as follows:

**Sec. 2-166. Created; composition; appointment of members generally; qualifications and compensation of members.**

- (a) There is hereby created a planning board consisting of ~~five~~ **seven (7)** members who shall be qualified electors of the city and who shall not be public officeholders of the city, except that one of them may be a member of the zoning board of review. The ~~five~~ **seven (7)** members shall be appointed in accordance with the provisions of the city charter and shall receive remuneration for their service on the board as established by the city council.
- ~~(b) In addition to the members of the board provided for in this section, the mayor, subject to confirmation by the city council, shall appoint two alternates to be designated as the first and second alternate members. Alternates shall be qualified electors of the city and shall not reside in the same ward. The alternate members shall serve a term of five years. These alternate members shall sit and may actively participate in hearings. The first alternate shall vote if a member of the board is unable to serve at a hearing and the second shall vote if two members of the board are unable to serve at the hearing. In the absence of the first alternate member, the second alternate member shall serve in the position of the first alternate. The alternate members shall exercise the same duties and functions of a regular member when serving on the board and may be removed from office by the city council in the same manner as a regular member.~~

**Sec. 2-167. Ex officio members.**

In addition to the planning board members provided for in section 2-166, there shall be three **(3)** ex officio members consisting of the ~~city manager~~ **Mayor** or his **or her** authorized representative, a member of the city council selected by the council and a member of the school committee or its superintendent, who may be appointed by the school committee. All of the ex officio members shall sit with the planning board and shall serve in such capacity for and during their term of office, provided that such ex officio members of the board shall have no voting powers as members of the board.



**Sec. 2-168. Appointment of first members; term of office; vacancies; removal from office.**

- (a) The four members of the ~~city council~~ **planning board** who are ~~elected~~ **appointed** by ward ~~and the three (3) members appointed city-wide~~ shall appoint one qualified elector of the city from their ward to the planning board subject to approval by a majority of the city council; the ~~remaining at-large member of the council~~ shall appoint one qualified elector of the city to the planning board subject to approval by a majority of the council. The members appointed to the planning board shall serve for a period of five (5) years, except that the initial appointments for members of the planning board pursuant to this division shall be made as follows: The member appointed ~~for~~ **from** Ward 1 shall be appointed for a term of one (1) year, whose term shall expire January 15, 1997; the member appointed ~~for~~ **from** Ward 2 shall be appointed for a term of two (2) years, whose term shall expire January 15, 1998; the member appointed ~~for~~ **from** Ward 3 shall be appointed for a term of three (3) years, whose term shall expire January 15, 1999; the member appointed ~~for~~ **from** Ward 4 shall be appointed for a term of four (4) years, whose term shall expire January 15, 2000; and ~~one (1) the member appointed by the at-large council member~~ **city-wide** shall be appointed for a term of five (5) years, whose term shall expire January 15, 2001. **Two (2) additional city-wide members shall also be appointed. The term of the first appointment shall expire January 15, 2023, and the term of the second appointment shall expire January 15, 2024.**
- (b) Each member shall continue in office until his **or her** successor has been duly appointed and qualified. In case any vacancy shall occur in the board for any cause, the vacancy shall be filled in the manner provided above, and the appointed shall serve for and during the unexpired term of his **or her** predecessor.
- (c) Any member of the board may be removed by the city council for due cause including malfeasance, misfeasance, or nonfeasance generally and in particular:
- (1) Failure to maintain reasonable familiarity with state statutes and local ordinances and rules affecting the board;
  - (2) Failure to disclose conflict of interest for purposes of disqualification when a member has personal or monetary interest in the matter involved or will be affected by a decision of the board.

**Sec. 2-169. Election of officers.**

The planning board shall elect a chair from its members whose term of office shall be for one (1) year and who may be eligible for reelection. The board may, at its discretion, likewise elect a vice-chair. The board shall also elect a secretary in the same manner as the chair.

**Sec. 2-170. Rules of transaction of business; record of resolutions, transactions, etc.**

The planning board shall adopt rules for the transaction of its business and shall keep a permanent record of all the resolutions, transactions, findings, determinations and recommendations; and all such records shall become public records.

**Sec. 2-171. Duties of officers.**

- (a) The chair of the planning board shall preside over all its meetings, and in his **or her** absence the vice-chair, if such office exists, shall take over the duties of the chair. If the board fails to elect a vice-chair, the members of the board shall appoint a temporary chair to conduct the meeting in the absence of the chair.
- (b) It shall be the duty of the secretary to keep minutes of all board meetings, record all its transactions and authenticate such minutes and records. All of the records shall be kept by the secretary as the board's permanent records, which shall be available to the general public for inspection at all times after the authentication of such records.

**Sec. 2-172. Powers and duties of board.**

- (a) The planning board shall make careful studies of the construction, resources, possibilities and needs of the city with reference to its future and progressive development, and particularly shall investigate and consider any present or pending civic problems involving the physical construction, arrangement or equipment of the city. The board shall also study the causes and prevention of congestion of population, habitation or travel in the city, study the causes and prevention of slum districts and the improvements of any districts in the city which are run down or decreasing in value and study the public health or sanitary condition or public means and facilities for promoting the public health, comfort or welfare of the city.
- (b) It shall be the function and duty of the planning board to make and recommend to the city council for adoption a comprehensive plan for the physical development of the municipality which shall fulfill the requirements of G.L. 1956, § 45-22.2-1 et seq., and cover the following areas: Economic development, land use, housing, natural resources, circulation, cultural and natural resources, and services and facilities.
- (c) The planning board may make reports and recommendations relating to the comprehensive plan and development of the city to public officials and agencies, public utility companies, civic, educational, professional and other organizations and citizens.
- (d) It shall be a function of the planning board to adopt, modify and amend regulations and rules governing land development and subdivision projects within the city and to control land development and subdivision projects pursuant to these regulations and rules. These regulations and amendments thereto, shall be adopted after a public hearing in accordance with G.L. 1956, § 45-23-25 et seq. Printed copies of the regulations shall be available to the general public and shall be revised to include amendments. Any appendices shall also be available. A reasonable charge may be made for copies.
- (e) It shall recommend to the ~~city manager~~ **Mayor**, for inclusion by the ~~manager~~ **Mayor** in his **or her** annual budget, a capital program of proposed capital projects for the five fiscal years next succeeding the budget year, the proposed projects to be arranged in order of preference with recommendations as to which projects should be constructed and in which year. The program of financing the capital projects shall also be presented. All public officials shall upon request furnish to the board, within a reasonable time, such available information as it may require for its work.
- (f) The board shall have authority and be required to perform the following functions:

- (1) Prepare plans for the clearance and rebuilding of slum districts in blighted areas within the city;
- (2) Promote public interest in the understanding of the board's planning, zoning, slum clearance and all other phases of the comprehensive plan;
- (3) Meet at least once each month and more often if necessary to accomplish its purposes and objectives;
- (4) Request additional assistance for special survey work from the ~~city manager~~ Mayor who may, at this discretion, assign to any department or direct such department to make such special studies as the board may request;
- (5) Make and recommend plans for the planning, improving and redeveloping of neighborhoods within the city;
- (6) Make and recommend plans for the re-planning, reconstruction and redeveloping of any district which may be destroyed in whole or in part or seriously damaged by fire, earthquake, flood or other disaster;
- (7) Receive and review all applications for change of zoning made to the city council and consider the applications for recommendation to the council.

**~~Sec. 2-173. Entry upon land; placing markings, etc., upon land.~~**

~~The members of the planning board in the performance of their functions are hereby empowered to enter upon any land within the city for the purpose of examining and surveying the land without being subjected to damages in an action of trespass by such owners. The members are also authorized to place and maintain any necessary staking and markings thereon in the performance of their duties.~~

**Sec. 2-174. Comprehensive plan—Purpose.**

The comprehensive plan shall be made for the purpose of guiding and accomplishing coordinated, adjusted and harmonious development of the physical ground of the city which will, in accordance with the future and existing needs, best promote public health, safety prosperity, the general welfare of the people and the economy and efficiency of communal life.

**Sec. 2-175. Same—Preparation.**

- (a) The comprehensive planning process shall be undertaken in accordance with G.L. 1956, § 45-22.2-1 et seq. After a comprehensive study is made by the planning board, it shall prepare a comprehensive plan with accompanying maps, plats, charts and descriptive explanatory matter showing the board's recommendations for physical development of the general location, character and extent of streets, bridges, viaducts, parks, parkways, waterway and waterfront developments, playgrounds and other public ways, grounds, public places or areas, the general location of public buildings and other public property, the general location and extent of public utilities and terminals, whether publicly or privately owned, for water, light, power, heat, sanitation, transportation, communication and other purposes and the acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment or change of use

of any of the foregoing public ways, grounds, places, areas, buildings, properties, utilities or terminals.

- (b) The comprehensive plan may be prepared by the board for recommendation to the **Mayor and city council in accordance with G.L. 1956, § 45-22.2-1**, either as a whole plan or in parts from time to time, which shall correspond generally with one or more of the functional subdivisions of the subject matter of the comprehensive plan.
- (c) The board may, from time to time, recommend additional amendments, extensions, deletions or additions to the comprehensive plan.
- (d) The preparation of the plan or any part, amendment or addition thereof shall be approved by a vote of the majority members of the board. Such vote shall refer expressly to the maps, descriptive matter and other matters intended by the board to form the whole or part or parts of the plan. The vote shall be recorded on the prepared plan, part or parts thereof by the identifying signature of the secretary of the board, and the plan, part or parts thereof shall be submitted to the city council for approval or rejection or to be returned to the planning board for further study and revision.
- (e) In the study for the preparation of the comprehensive plan, part or parts thereof, the planning board may recommend to the **Mayor and city council** for approval the letting out of contracts for professional services and consultants which the board deems necessary. The engagement of professional services and consultants shall be within the limits of the amounts appropriated for those services by the city council in its annual budget.

**Sec. 2-176. Same—Adoption.**

- (a) Upon completion of the comprehensive plan, part or parts thereof, the planning board may recommend the plan, part or parts thereof, to the city council for its consideration to either adopt, reject or refer the plan, part or parts thereof, back to the planning board with instructions to amend, modify or expand the plan, or parts thereof. After complying with the city council's directive, the board shall submit the modified plan, part or parts thereof to the council for adoption in its final form. ~~The adoption of the comprehensive plan, part or parts thereof, in its final form shall be a majority vote of the city council.~~
- (b) The city comprehensive plan consisting of an inventory and analysis of existing conditions; land use plan element; housing plan element; economic development plan element; natural, historical and cultural resources plan element; recreation, conservation and open space plan element; community services and facilities plan element; and circulation plan element is hereby adopted as the comprehensive plan for the city. The comprehensive plan shall become effective upon approval by the state pursuant to the laws of the state contained in G.L. 1956, § 45-22.2-1 et seq., and any rules and regulations adopted by the state pursuant to such statute.

**Sec. 2-177. Same—Construction, etc., of streets, parks, etc., after adoption of plan.**

- (a) Whenever the city council shall have adopted the comprehensive plan of the city, or any part or parts thereof, then and henceforth no street, park or other public way, ground, place or area, no public building or structure and no public utility, whether publicly or privately owned, shall be constructed or authorized in the city until and unless the location and extent thereof shall

have been submitted to the planning board for its recommendation of approval or disapproval to the city council. If the planning board shall recommend its disapproval of such projects, the board shall communicate its reasons of disapproval to the city council, and the city council may either adopt or reject the decision of the planning board. The city council may refer any matter relative to the comprehensive plan, part or parts thereof to the appropriate board, commission or department head with instructions to proceed in accordance with the council's directive.

- (b) The acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, change of use or acquisition of land for sale or lease of any street or other public way, ground, place, property or structure shall be submitted to the planning board for its approval or disapproval and such recommendations, with the board's reasons, to the city council as it may deem proper. Failure of the board to act on matters presented to it contained in this section within 30 days from the date of its filing shall constitute an approval and recommendation of the matters presented to the city council.

**Sec. 2-178. Department of planning and economic development; director of planning and economic development; division of planning; division of economic development.**

- (a) There shall be a department of planning and economic development, the head of which shall be known as the director of planning and economic development who shall be appointed by the city manager Mayor. ~~and who shall be qualified by special training and experience in the field of city planning.~~ The director of planning and economic development shall possess a bachelor's degree in public or business administration, economics, finance, urban planning, or a related field.

- (b) The department of planning and economic development shall be divided into two (2) divisions, the division of planning and the division of economic development.

- 1) The division of planning shall create, maintain, and implement all neighborhood, redevelopment and special area plans, and oversee environmental planning, historic preservation planning, and transportation planning and transit initiatives.
- 2) The division of economic development shall be responsible for identifying and promoting development opportunities for business growth and development in the city. The division is also responsible for disbursing and monitoring the expenditure of federal community development funding. The division shall be responsible for identifying opportunities to expand development for arts and culture within the city.
- 3) The director of planning and economic development shall work with the division of building inspection for the purpose of coordinating permitting for developments from the design phase to final inspection.
- 4) The director of planning and economic development shall work with the director of finance and other members of the finance department as may be necessary for the purpose of maximizing economic development initiatives in the city and to promote the long term

financial wellbeing of the city which shall include the formulation of a multi-year financial forecast.

(b c) The director of planning and economic development or his or her designee shall be the technical advisor of the planning board and shall be responsible for the preparation of all records of the board, which records shall be authenticated by the board's secretary. The director shall also have the power to call a special meeting of the planning board.

(e d) The director of planning and economic development shall be the administrative head of the department of planning and economic development who, in addition to such other duties fixed by the ~~city manager or the city council~~ Mayor, shall prepare a fiscal department budget for presentation to the ~~city manager~~ Mayor. Such budget shall set forth the necessary funds for the department of planning and economic development, as well as the funds for the use of the planning board.

**SECTION II.** This ordinance shall take effect upon its second passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Given first passage \_\_\_\_\_ and referred to \_\_\_\_\_ at 7:00 p.m. for a hearing  
and consideration of final passage and adopted

Attest:

\_\_\_\_\_  
City Clerk of the City of East Providence, RI

Introduced by: Councilman Cahoon

**RESOLUTION TO ESTABLISH PARTNERSHIP  
WITH THE EAST PROVIDENCE SCHOOL COMMITTEE  
FOR COMMUNITY SERVICE HOURS FOR STUDENTS**

**WHEREAS**, the City Council of East Providence has recognized a great need for volunteer assistance in our elderly and disabled community; and

**WHEREAS**, the School Committee of East Providence has established a graduation requirement which includes a need for students to obtain community service hours; and

**WHEREAS**, the East Providence City Council and School Committee will work in partnership to establish and identify volunteer opportunities and coordinate volunteer students of East Providence High School; and

**WHEREAS**, it is the intent of this Resolution to promote better coordination of volunteers groups and service opportunities, to promote a sense of community amongst our diverse populations, and capture and increase the spirit of “Townie Pride” within our City;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of East Providence, in collaboration with the East Providence School Committee, in order to effectuate and promote volunteer opportunities, established as follows:

1. The City Clerk shall maintain, coordinate, and post volunteer opportunities within the community including but not limited to all of East Providence’s Public Libraries and the East Providence High School;
2. With the authority of the School Committee and/or the Superintendent of Schools, the Administrative Assistant of the East Providence School District shall submit eligible community service opportunities to the City Clerk;
3. The coordination and posting of community services projects shall commence no later than September 30, 2019.

This Resolution shall take effect upon passage.

Adopted by the City Council: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk of East Providence, Rhode Island

**Introduced by: Councilman Mourato and Councilwoman Sousa**

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**CITY OF EAST PROVIDENCE**

**RESOLUTION NO.**

**RESOLUTION ESTABLISHING THE LANGUAGE OF A PROPOSED  
AMENDMENT TO THE EAST PROVIDENCE CITY CHARTER AS WILL  
BE VOTED ON AT THE SUBSEQUENT CHARTER REFERENDUM**

**WHEREAS**, the Home Rule Charter for the City of East Providence was originally adopted by the Town of East Providence in September 1954; and

**WHEREAS**, Article XIII, Sec. 8 of the Rhode Island Constitution allows for the legislative body of any city or town to propose amendments to the Charter, which amendments shall be submitted for approval to the qualified electors of the City at a general or special election; and

**WHEREAS**, the City Council desires to amend the City Charter as follows:

Article II. City Council

Sec. 2-9. Powers.

The legislative powers of the City shall be vested in the Council. Without limitation of the foregoing, the Council shall have power to:

- (1) Determine its own rules and order of business and keep a journal of its proceedings which shall be open to public inspection in the office of the City Clerk;
- (2) Establish administrative departments ~~and distribute the work of divisions;~~
- (3) Adopt the budget of the City;
- (4) Authorize the issuance of bonds by a bond ordinance;
- (5) Provide for an independent audit;
- (6) Inquire into the conduct of any office, department or agency of the City and make investigation as to municipal affairs and, for such purposes, the Council may subpoena witnesses and require the production of records if a simple majority of at least three (3) Council Members passes a resolution which shall state, with sufficient particularity, the legitimate public purpose for the issuance of any such subpoena and the scope of said subpoena;
- (7) Adopt ordinances for the government of the City which have to do with records, franchises, finance, personnel, civil service or merit system, pensions and retirement systems, public works, public safety, public welfare, public health, City planning, zoning, parks and playgrounds, and safe and sanitary housing, public utilities and other municipal functions not in conflict with the constitution and laws of the state;



- (8) Grant, suspend or revoke licenses, or, by ordinance, delegate to the Mayor the power to grant, suspend or revoke licenses or classes of licenses, except licenses permitting the sale of alcoholic beverages. The City Council or the Mayor may require an inspection, investigation and report by any department on any license or application for a license. If any applicant, licensee or citizen of the City is aggrieved by the decision of the Mayor in granting, refusing to grant, suspending or revoking any license or application for a license, he or she may appeal from such decision to the City Council;
- (9) Require the attendance of any department or division head of the administration, upon written notice to the Mayor, at any regular or special meeting of the City Council, to assist the council in its legislative and/or oversight function on any item or topic on the agenda of the City Council.

**NOW, THEREFORE, BE IT RESOLVED** that this proposed Charter amendment be summarized on the ballot in the next special election.

**BE IT FURTHER RESOLVED** that the ballot question expressly state that this amendment shall become effective upon passage without further action insofar as the Rhode Island Constitution's Home Rule Charter provisions allow.

**BE IT FURTHER RESOLVED** that the Board of Canvassers of the City of East Providence take all necessary steps to certify the amendment for the November 5, 2019 special election.

Adopted by the City Council: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk of East Providence, Rhode Island

Introduced by: Councilman Mourato

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**CITY OF EAST PROVIDENCE**

**RESOLUTION NO.**

**RESOLUTION AUTHORIZING THE MAYOR TO CONVEY PROPERTY  
LOCATED AT 63-65 WARREN AVENUE MORE COMMONLY KNOWN AS  
THE ODD FELLOWS HALL**

**WHEREAS**, the City Council of the City of East Providence is desirous of conveying property located at 63-65 Warren Avenue, Map 106, Block 22, Parcel 13; and

**WHEREAS**, Rhode Island General Laws §45-2-4 grants the City Council the authority to convey property; and

**WHEREAS**, the Mayor, by and through the office of Community Development, has negotiated a Purchase & Sale Agreement for the property with said Purchase & Sale Agreement being attached hereto as Exhibit A.

**NOW, THEREFORE BE IT RESOLVED**, that:

- (1) The City Council of the City of East Providence authorizes the sale of the property consistent with the terms and conditions set forth in Exhibit A;
- (2) The Mayor is authorized to execute the Purchase & Sale Agreement on behalf of the City of East Providence;
- (3) The Mayor, by and through the office of the City Solicitor, is hereby empowered to execute any and all documents including but not limited to deed of transfer necessary to effectuate and perfect the sale of the property located at 63-65 Warren Avenue, Map 106, Block 22, Parcel 13.

This Resolution shall take effect upon passage.

Adopted by the City Council: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk of East Providence, Rhode Island

Introduced by: Councilman Britto

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**CITY OF EAST PROVIDENCE**

**RESOLUTION NO.**

**RESOLUTION REQUESTING THAT THE EAST PROVIDENCE CITY COUNCIL  
RE-NAME THE EAST PROVIDENCE SENIOR CENTER AS THE  
"ROBERT E. ROCK SENIOR CENTER"**

**WHEREAS**, in 1993, the City began the process for a new Senior Center with the establishment of a Senior Advisory Board consisting of 34 members; and in March 1996 began the process to purchase 6.7 acres of property located at the corner of Pawtucket Avenue and Waterman Avenue for the center; and

**WHEREAS**, on May 11, 1998, the City dedicated the opening of the Senior Center and appointed Robert E. Rock as the Senior Services Director; and

**WHEREAS**, in January 2002, the center was awarded National Accreditation. This is official recognition that the center meets professional and national standards for senior centers and assures older adult consumers, their families and caregivers that the center is operating out of a common senior center philosophy; and

**WHEREAS**, renovations and grants awarded over the years allowed the Senior Center to expand its space to 25,000 square feet allowing space for a fitness center, library, common area with tables, chairs and coffee café, computer lab, large multi-purpose room which hosts meetings, exercise programs and seminars along with a seminar room for smaller groups; and

**WHEREAS**, since inception, Mr. Rock and his full-time and part-time staff of professional, compassionate and caring people as well as a group of over 100 volunteers who donate thousands of hours per year to help the Senior Center meet its mission have seen significant improvements to the quality of services provided to the City's senior population and continue to assist, inform and enrich the lives of all persons 55 years of age and older as well as disabled persons in the East Providence area; and

**WHEREAS**, after serving the City for the past 21 years, Mr. Rock will be retiring as Director of the Senior Center; and

**WHEREAS**, in honor of his dedicated service of 21 years as the City of East Providence Senior Services Director, Mayor Roberto DaSilva is requesting that the City Council re-name the East Providence Senior Center as the "Robert E. Rock Senior Center".

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of East Providence, hereby re-names the East Providence Senior Center as the:

**"Robert E. Rock Senior Center"**

Adopted by the City Council: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk of East Providence, Rhode Island

Introduced by: Council Vice President Rodericks

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**CITY OF EAST PROVIDENCE**

**RESOLUTION NO.**

**RESOLUTION AUTHORIZING THE MAYOR TO PAY INVOICES  
FOR PRECONSTRUCTION EXPENSES FOR THE NEW  
EAST PROVIDENCE HIGH SCHOOL**

**WHEREAS**, the voters of the City of East Providence approved the passage of a bond for the construction of a new high school on November 6, 2018 in the amount of \$189,500,000; and

**WHEREAS**, the City is in the process of issuing the bonds for said project; and

**WHEREAS**, prior to the bonds being sold, the City has incurred and will continue to incur preconstruction expenses related to design and architectural review; and

**WHEREAS**, the School Department has requested payment of invoices for July 2019 from Ai3 Architects, Inc. in the amount of \$842,494.79, the Peregrine Group (the owner's program manager) in the amount of \$59,000.00, Gilbane Building Company in the amount of \$863,315.37, and Stephen Turner, Inc. in the amount of \$5,240.00 for a total amount of \$1,770,855.16; and

**WHEREAS**, the City will be reimbursed for any outlay of funds from the bond proceeds or bond anticipation notes.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of East Providence hereby authorizes the Mayor of the City of East Providence acting through and by the City Finance Director to pay the attached invoices not to exceed \$1,770,855.16.

Adopted by the City Council: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk of East Providence, Rhode Island

Introduced by: Councilman Nathan Cahoon