



**City of Providence**  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**CHAPTER**

No.       **AN ORDINANCE AUTHORIZING THE CITY COUNCIL TO IMPLEMENT  
THE CAPITAL IMPROVEMENT PLAN**

*Be it ordained by the City of Providence:*

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

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

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

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

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

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

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

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

The attached Draft Capital Improvement Plan (Exhibit A) shall be incorporated into this ordinance.

This ordinance is an affirmative action of the City Council of the City of Providence toward capital improvements in the City.

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

# RESOLUTION OF THE CITY COUNCIL

*No.*

WHEREAS, The Providence Public Buildings Authority (the "Authority") was constituted as a body corporate and politic of the City of Providence pursuant to the provisions of Chapter 50 of title 45 of the General Laws of Rhode Island (the "Act") and a resolution duly passed by this City Council on August 13, 1987; and

WHEREAS, The Authority's creation was approved by the Public Finance Management Board on February 12, 1988; and

WHEREAS, The Authority may now duly transact its business of acquiring and constructing public facilities, acquiring public equipment; maintaining, renovating, repairing and operating the same; and issuing its revenue bonds and/or notes to finance the public facilities and public equipment; and

WHEREAS, The Authority may develop its projects only upon the request of the Mayor and the City Council; and

WHEREAS, Such request must take the form of a proposal by the Mayor approved by the City Council; and

WHEREAS, The Mayor has submitted the proposal attached hereto as Exhibit "A" for the City Council's approval.

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Council hereby approves the Proposal of the Mayor dated May 25, 2017 attached hereto (the "Proposal") which, among other things, requests the Authority to use its best efforts to finance the acquisition, design, construction, repair, rehabilitation, replacement and improvement of infrastructure in the City's neighborhoods, including, but not limited to, streets, sidewalks, public parks, recreation facilities, bridges, sewers, drainage and City buildings, including design and feasibility, engineering or other studies which may be necessary in connection therewith and any other acts necessary or incidental thereto (the "Projects").
2. That the City Council hereby authorizes the Mayor to sell and convey Project properties to the Authority and to negotiate and lease the Projects so conveyed from the Authority and to transfer such additional property to the Authority as shall be necessary to provide adequate security for the bonds or notes.
3. That the Mayor, the Director of Finance and the City Treasurer be, and they hereby are, authorized to take any and all action and to execute, file and deliver any and all agreements, notes, deeds, leases and other documents, instruments, and papers, including tax compliance certificates, and amendments thereto, as they, in their sole discretion, may deem necessary or desirable to implement the transaction contemplated by the Proposal.
4. That the City's Department of Public Property shall submit all estimates, bids, etc. regarding such acquisition, design, construction, repair, rehabilitation, replacement and improvement of the Projects to the Committee on Finance of the City Council as such estimates become available.
5. The City's Director of Finance is authorized to execute and deliver continuing disclosure

certificates in connection with the bonds or notes issued by the Authority, in such form as shall be deemed advisable by the City's Director of Finance. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of each continuing disclosure certificate, as it may be amended from time to time. Notwithstanding any other provision of this Resolution or the bonds or notes, failure of the City to comply with any continuing disclosure certificate shall not be considered an event of default; however, any bondholder or noteholder 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 Resolution and under any continuing disclosure certificate.

6. This Resolution is an affirmative action of the City Council towards the issuance of the Authority's bonds and/or notes in accordance with the purposes of the laws of the State. This Resolution constitutes the City's declaration of official intent, pursuant to Treasury Regulation § 1.150-2, to reimburse its General Fund in an amount not to exceed Forty-Five Million and 00/100 Dollars (\$45,000,000) for certain capital expenditures for the Projects paid on or after the date which is sixty (60) days prior to the date of this Resolution but prior to the issuance of the Authority's bonds and/or notes, or otherwise as permitted by such regulation. Amounts to be reimbursed shall be reimbursed not later than eighteen months after (a) the date on which the expenditure is paid or (b) the date the Projects are placed in service or abandoned, but in no event more than three (3) years after the date the expenditure is paid.

7. With respect to the Projects authorized herein, to the extent that the construction of such Projects requires any amendment of the zoning ordinance or zoning map of the City, the City Council hereby initiates the same and directs that the City Planning Commission at its earliest opportunity provide it with its findings and recommendations as provided for in Rhode Island General Laws Section 45-24-52, as amended, and that the City Clerk schedule a public hearing of the City Council with all reasonable dispatch, giving proper notice as prescribed in Rhode Island General Laws Section 45-24-53, for this City Council to act on the proposed amendment.

8. This Resolution shall take effect on passage.

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# RESOLUTION OF THE CITY COUNCIL

*No.*

RESOLVED, That the taxes assessed upon Assessor's Plat 102, Lot 206 (267 Veazie Street), are cancelled or abated, in whole, in the amount of Ten Thousand Five Hundred Sixty Dollars and Twenty Five (\$10,560.25) Cents, or any taxes accrued, on behalf of the Smith Hill Community Development Corporation and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40.

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# RESOLUTION OF THE CITY COUNCIL

*No.*

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

Rethinking Power Management (Office of Sustainability)	\$25,000.00
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