



Committee on Finance

Regular Meeting

~ Meeting Minutes ~

Wednesday, March 20, 2019

5:00 PM

Committee "B" (City Hall 3rd Floor)

PRESENT: Chairman John J. Igliazzi; Vice-Chairwoman Jo-Ann Ryan; Councilwoman Carmen Castillo and Councilman James E. Taylor – 4.

ABSENT: Councilwoman Helen D. Anthony – 1.

Also present are Council President Sabina Matos; Councilman Michael J. Correia; Councilman Luis A. Aponte; Kenneth Chiavarini, Deputy City Solicitor, Law Department; Samuel Budway, Deputy Director & General Counsel, Providence Redevelopment Agency; James J. Lombardi III, City Treasurer/Senior Advisor to the City Council; Gina Costa, Internal Auditor, Office of Internal Auditor; David C. Peligian, Senior Auditor, Office of Internal Auditor; Billy Kepner, Deputy Chief of Staff - Communications, Council Office; Kunal Vasudev, Assistant Director of Policy and Research, Council Office; Matthew Shumate, Deputy Chief of Staff, Mayor's Office; Lawrence J. Mancini, Director, Department of Finance; Jordan Day, Deputy Chief Operating Officer and Municipal Liaison, Mayor's Office; Steven M. Pare, Commissioner of Public Safety and Acting Chief of Fire; Leah Bamberger, Director, Office of Sustainability; Michael Borg, Director, Department of Public Property; Mark Hengen; David Veliz; David Karoff; Deborah Shimberg; Corine Touloumtzis; Lisa Scorpio; Christian Roselund; Lucy Rios; Shawn Selleck, City Clerk and Donna M. Peligian, Assistant Clerk.

- 1. An Ordinance Amending Chapter 12, "Health and Sanitation," of the Providence Code of Ordinances to Add Section 20, "Reduction of Single-Use Checkout Bags by Retail Establishments."**

CHAIRMAN IGLIOZZI: We have a substitution, Madame Clerk and Mr. Clerk for item number one.

VICE-CHAIRWOMAN RYAN: I'd like to make a motion to accept.

CHAIRMAN IGLIOZZI: We're going to substitute this item 1A for 1, is that right, Madame Clerk?

ASSISTANT CLERK PELIGIAN: That is correct.

VICE-CHAIRWOMAN RYAN: So moved.

COUNCILWOMAN CASTILLO: Second.

On motion of Vice-Chairwoman Ryan, Seconded by Councilwoman Castillo, it is voted to Substitute item 1A for 1.

CHAIRMAN IGLIOZZI: Discussion. All in favor.

COMMITTEE: Ayes.

CHAIRMAN IGLIOZZI: So, who would like to explain what this Substitution is and why is there a Substitution.

VICE-CHAIRWOMAN RYAN: Mr. Chairman, I would like to ask that Kunal walk us through the changes in this Act. They are somewhat substantive, but they're the work of many months. Many months of work have gone into this.

CHAIRMAN IGLIOZZI: So, before us is item 1A. Do you want to take – first tell us what this proposed Ordinance is, what it will do and then what are the changes.

MR. VASUDEV: The proposed Ordinance in front of the Committee is the Retail Plastic Bag Reduction Act. It is intended to reduce the use of plastic bags provided by retail establishments in the City of Providence in order to ease the burden on the City of Providence both environmentally and economically. In front of you is the Substitute. The changes that have been made – we have one change in the title, as I mentioned before, to "Retail Bag Reduction Act" to put this emphasis on reducing plastic bags in the City of Providence and easing that burden. We have been removing references to single use plastic bags and just referring to them as plastic check-out bags. We're trying to get rid of and reduce plastic check-out bags of all kinds in the City of Providence. The next big change

is in the definition section under reusable bag definition. We've added an addition that reusable bags must have "handles which are stitched and not heat-fused", so as to ensure that there are no loopholes where plastic bags can be classified as reusable bags. In the best practice research, we have seen that reusable bags tend to have handles which are stitched and heat-fused, which cannot be done with the plastic bags. In the Education, Outreach and Enforcement section, we've just made some changes, one to include various organizations that the City will work collaboratively with to ensure public outreach and education is actually happening once this Ordinance would be passed and be implemented. We've also changed in section ii, change the requirement from the thirty (30) days having an implementation plan presented to the Council, to sixty (60) days and that implementation plan will still come from the Office of Sustainability. We've also changed having annual reports to quarterly reports submitted to the City Council from the Office of Sustainability. These quarterly reports will just detail the City's efforts to educate the public, enforce the Ordinance, including measures of varying success, the appropriate metrics and data points to show how enforcement has been going. That sub-section also includes a Sunset Clause, that after two years of passage, those quarterly reports will become annual reports submitted to the Council. And then the final change that has been made is that instead of taking, instead of the Ordinance taking effect one year after passage, the Ordinance will take effect six months after passage.

CHAIRMAN IGLIOZZI: Are there any more changes?

VICE-CHAIRWOMAN RYAN: Those are the changes. Thank you, Kunal.

Further discussion and testimony was held relative to the foregoing matter.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Vice-Chairwoman Ryan
SECONDER:	Councilman Taylor
AYES:	Chairman Igliazzi, Vice-Chairwoman Ryan, Councilwoman Castillo, and Councilman Taylor – 4.
ABSENT:	Councilwoman Anthony– 1.

CHAIRMAN IGLIOZZI: Madame Clerk, we're going to take a couple of items out of order first. We're going to take items number – motion to take items six and seven out of order.

COUNCILMAN TAYLOR: So moved.

COUNCILWOMAN CASTILLO: Second.

On motion of Councilman Taylor, Seconded by Councilwoman Castillo, it is voted to take items six and seven out of order.

CHAIRMAN IGLIOZZI: Discussion. All in favor.

COMMITTEE: Ayes.

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

American Development Institute, LLC	\$136,062.91
d/b/a ADI Energy	
(Department of Public Property)	

7. Resolution Authorizing Approval of the following Ratification of a Contract Award by the Board of Contract and Supply, in accordance with Section 21-26 of the Code of Ordinances of the City of Providence.

Cross Insurance, Inc.	\$53,037.00
(Public Property)	

RESULT:	CONTINUED (WITH VOTE) [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilwoman Castillo
AYES:	Chairman Igliazzi, Vice-Chairwoman Ryan, Councilwoman Castillo, and Councilman Taylor – 4.
ABSENT:	Councilwoman Anthony– 1.

CHAIRMAN IGLIOZZI: Next item. We're going to take another item out of order. Motion to take item number three out of order.

COUNCILMAN TAYLOR: So moved.

COUNCILWOMAN CASTILLO: Second.

On motion of Councilman Taylor, Seconded by Councilwoman Castillo, it is voted to take item number three out of order.

CHAIRMAN IGLIOZZI: Discussion. All in favor.

COMMITTEE: Ayes.

- 3. Resolution Requesting the Tax Assessor to cancel or abate in whole the taxes assessed upon Assessor's Plat 53, Lots 582 and 619 (1017 Broad Street and 17 Warrington Street), on behalf of the Providence Redevelopment Agency, in the amount of One Hundred Fifty Seven Thousand One Hundred Fifty One Dollars and Twenty Four (\$157,151.24) Cents, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40.**

RESULT:	CONTINUED (WITH VOTE) [UNANIMOUS]
MOVER:	Councilman Taylor
SECONDER:	Councilwoman Castillo
AYES:	Chairman Igliazzi, Vice-Chairwoman Ryan, Councilwoman Castillo, and Councilman Taylor – 4.
ABSENT:	Councilwoman Anthony– 1.

CHAIRMAN IGLIOZZI: We're going to take item number two, Madame Clerk.

- 2. An Ordinance in amendment of Chapter 21 of the Ordinances of the City of Providence, Entitled: "Revenue and Finance."**

CHAIRMAN IGLIOZZI: Is this an amendment?

MR. LOMBARDI: It's a substitution.

MS. COSTA: It's a substitution. It's just the redlined version and then the final.

CHAIRMAN IGLIOZZI: Do we have a motion to substitute item number 2A for number 2.

VICE-CHAIRWOMAN RYAN: So moved.

COUNCILMAN TAYLOR: Second.

On motion of Vice-Chairwoman Ryan, Seconded by Councilman Taylor, it is voted to substitute item number 2A for number 2.

CHAIRMAN IGLIOZZI: Discussion. All in favor.

COMMITTEE: Ayes.

MS. COSTA: The Treasurer and I met and the purpose of this is to just get notification from the administration every time or anytime a department or agency is under audit by any agency – state, federal, private, just to give us notification and this was driven because of the School Department budget audit that was not disclosed and two Planning Department audits from HUD that cost the City quite a bit of money.

COUNCILMAN IGLIOZZI: Was this the one I sponsored?

MS. COSTA: Yes, it was. So, the Law Department kind of cleaned up some language and today the Treasurer and I met with the Chief of Staff and we cleaned it up a little bit more and we came to this as an agreement and ran it by the Finance Director and he was okay with it.

CHAIRMAN IGLIOZZI: Treasurer, do you want to say something?

MR. LOMBARDI: I concur with everything she said and we can support this.

CHAIRMAN IGLIOZZI: So this is what I'm going to ask both of you. Just really quick state what was the problem and then tell me whether or not this Ordinance will be the solution.

MS. COSTA: The problem was communication about audits to the legislative branch and the internal auditor. We weren't getting any notification until we found out from the press that audits were being done of the City.

CHAIRMAN IGLIOZZI: So, therefore, we now have to take the measure and actually pass the City law to force government to function correctly from appropriate checks and balances and transparency and all the wonderful things, all the other wonderful words that everybody likes to use in this modern era, right? And, it's too bad that we have to do this, but we have to, right?

Further discussion was held relative to the foregoing matter.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Vice-Chairwoman Ryan
SECONDER:	Councilman Taylor
AYES:	Chairman Igliazzi, Vice-Chairwoman Ryan, Councilwoman Castillo, and Councilman Taylor – 4.
ABSENT:	Councilwoman Anthony– 1.

CHAIRMAN IGLIOZZI: Next item. Let's go to number four.

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

FARO Technologies, Inc. (Public Safety)	\$75,960.00
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Discussion was held relative to the foregoing matter.

RESULT:	CONTINUED (WITH VOTE) [UNANIMOUS]
MOVER:	Vice-Chairwoman Ryan
SECONDER:	Councilman Taylor
AYES:	Chairman Igliazzi, Vice-Chairwoman Ryan, Councilwoman Castillo, and Councilman Taylor – 4.
ABSENT:	Councilwoman Anthony– 1.

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

Comstar, LLC **\$450,000.00**
(Public Safety)

Discussion was held relative to the foregoing matter.

RESULT:	CONTINUED (WITH VOTE) [UNANIMOUS]
MOVER:	Vice-Chairwoman Ryan
SECONDER:	Councilman Taylor
AYES:	Chairman Igliazzi, Vice-Chairwoman Ryan, Councilwoman Castillo, and Councilman Taylor – 4.
ABSENT:	Councilwoman Anthony– 1.

CHAIRMAN IGLIOZZI: The next item is item number eight, Madame Clerk and Mr. Clerk.

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

International Fire Service Training Association **\$6,812.80**
(Fire Department)

Discussion was held relative to the foregoing matter.

RESULT:	CONTINUED (WITH VOTE) [UNANIMOUS]
MOVER:	Vice-Chairwoman Ryan
SECONDER:	Councilman Taylor
AYES:	Chairman Igliazzi, Vice-Chairwoman Ryan, Councilwoman Castillo, and Councilman Taylor – 4.
ABSENT:	Councilwoman Anthony– 1.

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

Response Technologies Corporation **\$11,973.00**
(Fire Department)

Discussion was held relative to the foregoing matter.

RESULT:	CONTINUED (WITH VOTE) [UNANIMOUS]
MOVER:	Vice-Chairwoman Ryan
SECONDER:	Councilman Taylor
AYES:	Chairman Iglizzi, Vice-Chairwoman Ryan, Councilwoman Castillo, and Councilman Taylor – 4.
ABSENT:	Councilwoman Anthony– 1.

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

Rhode Island State Fire **\$16,945.00**
(Fire Department)

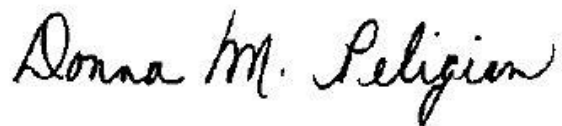
Discussion was held relative to the foregoing matter.

RESULT:	CONTINUED (WITH VOTE) [UNANIMOUS]
MOVER:	Vice-Chairwoman Ryan
SECONDER:	Councilman Taylor
AYES:	Chairman Iglizzi, Vice-Chairwoman Ryan, Councilwoman Castillo, and Councilman Taylor – 4.
ABSENT:	Councilwoman Anthony– 1.

ADJOURNMENT: On motion of Vice-Chairwoman Ryan, Seconded by Councilman Taylor, it is voted to adjourn the meeting at 7:27 o'clock P.M.



City Clerk



Assistant Clerk

City of Providence
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER

No. **AN ORDINANCE AMENDING CHAPTER 12, "HEALTH AND SANITATION," OF THE PROVIDENCE CODE OF ORDINANCES TO ADD SECTION 20, RETAIL PLASTIC BAG REDUCTION ACT"**

Be it ordained by the City of Providence:

SECTION 1. Chapter 12, "Health and Sanitation," Section 20, is hereby amended as follows:
Sec. 12-20. - Retail Plastic Bag Reduction Act.

(a) *Purpose.*

The purpose of this section is to reduce the number of plastic checkout bags used by Retail establishments in the City, curb litter in the streets, protect marine environment, waterways, reduce greenhouse gas emissions, and solid waste and by encouraging the use of reusable bags by Retail establishments.

The production, use and disposal of plastic checkout bags have significant adverse impacts on the environment. The City of Providence desires to conserve resources, reduce greenhouse gas emissions, waste, and marine pollution, and to protect the public health and welfare of its residents. Plastic bags contribute to a significant burden on the City's solid waste disposal and single stream recycling systems.

(b) *Definitions.*

As used in this chapter, the following terms shall have the meanings indicated:

(1) ***Check out bag*** means any carryout bag provided by a store to a customer at the point of sale. Checkout bags shall not include:

- i. Bags, whether plastic or not, in which loose produce or products are placed by a consumer to deliver such items to the point of sale or check-out area of a Retail establishment; or
- ii. Laundry or dry-cleaner bags; or
- iii. Newspaper bags; or
- iv. Bags used to contain or wrap frozen foods, meat or fish, whether prepackaged or not, to prevent or contain moisture.

(2) ***Recyclable paper bag*** means a paper bag that is one hundred percent (100%) recyclable including the handles, contains at least forty percent (40%) post-consumer paper content, and displays the words "Recyclable" and "made from 40% post-consumer recycled content (or other applicable amount) in a visible manner on the outside of the bag.

(3) ***Retail establishment*** means any person, corporation, partnership, business venture, or vendor that sells or provides merchandise, goods, or materials directly to a customer, whether for or not for profit, including but not limited to restaurants pharmacies, convenience and grocery stores, liquor stores, seasonable and temporary businesses, jewelry stores, and household goods stores. "Retail establishment" does not include sales by residents at their homes.

(4) **Reusable bag** means a bag specifically designed and manufactured for multiple reuse, with handles which are stitched and not heat-fused. The bag shall not be made of any non-recycled plastic.

(c) *Requirements.*

(1) If any retail establishment provides a checkout bag to customers, the bag shall comply with the requirements of being a Reusable Bag or a Recyclable Paper Bag.

(2) The director of the Office of Sustainability may promulgate rules and regulations to implement this section.

(d) *Education, Outreach, and Enforcement.*

(1) This section shall be implemented, administered and enforced by the director of the Office of Sustainability or any other City department or division designated by the City.

i. In order to ensure that this section is properly implemented and enforced, and to ensure that residents and local businesses are properly informed of the provisions of this section, the director of the Office of Sustainability shall conduct a comprehensive public education and outreach program in collaboration with Providence Public Schools, Providence Community Library, Providence Public Library, Providence community organizations, business stakeholders, environmental advocacy organizations, and other entities such as but not limited to Rhode Island Resource Recovery Corporation and the City's private waste hauler.

ii. No more than sixty (60) days after passage, the director of the Office of Sustainability shall develop and submit to the Council, for approval, an implementation and enforcement plan. Additionally, once approved, this plan shall be posted and available to the public on the Office of Sustainability's website.

iii. It shall be the duty of the director of the Office of Sustainability to submit quarterly reports to the City Council. The quarterly reports shall describe in detail the City's efforts to implement, enforce, and educate the public about this section, along with measures of success in appropriate metric, data points, and an accounting of all fines assessed and collected.

1. Two years after passage, reports shall cease to be quarterly and shall be submitted on an annual basis no later than January 31 of each calendar year.

(2) If it is determined that a violation has occurred the City shall issue a warning notice to the Retail Establishment for the initial violation.

(3) If an additional violation of this Ordinance has occurred within one year after a warning notice has been issued for an initial violation, the City shall issue a notice of violation and shall impose a penalty against the retail establishment.

(4) The penalty for each violation that occurs after the issuance of the warning notice shall be no more than:

i. \$50 for the first offense

ii. \$100 for the second offense and all subsequent offenses. Payment of such fines may be enforced through civil action in the City Municipal Court.

All revenue collected as a result of violations of this section shall be deposited into a designated city fund for furthering community education and outreach on recycling matters.

(e) *Exempt retail establishments*

- (1) The director of the Office of Sustainability may exempt a retail establishment from the requirements of this chapter for a period of one year upon a finding by the director of the Office of Sustainability that the requirements of this chapter would cause undue hardship to a retail establishment. An "undue hardship" shall be found only in:
 - i. Circumstances or situations unique to the particular Retail Establishment such that there are no reasonable alternatives to bags that are not Recyclable Paper Bags, Compostable Plastic Bags or Reusable Bags; or
 - ii. Circumstances or situations unique to the Retail Establishment such that compliance with the requirements of this chapter would deprive a person of a legally protected right; or
 - iii. Circumstances where a Retail Establishment requires additional time in order to draw down an existing inventory of single-use plastic check out bags. Any Retail Establishment receiving an exemption shall file with the Chief monthly reports on inventory reduction and remaining stocks.
- (2) Retail Establishments shall apply for an exemption to the director of Sustainability using forms provided by the Office of Sustainability, and shall allow the director of the Office of Sustainability, or his or her designee, access to all information supporting its application.
- (3) The director of the Office of Sustainability may approve the exemption request, in whole or in part, with or without conditions.
- (4) The director of the Office of Sustainability, by regulation, may establish a fee for exemption requests.

SECTION 2. This Ordinance shall take effect six months after passage.

City of Providence
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER

No. **AN ORDINANCE IN AMENDMENT OF CHAPTER 21 OF THE
ORDINANCES OF THE CITY OF PROVIDENCE, ENTITLED: "REVENUE
AND FINANCE"**

Be it ordained by the City of Providence:

SECTION 1. Chapter 21-23 of the Code of Ordinances of the City of Providence shall be amended hereby as follows:

Sec. 21-23. Notification of External Audits.

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(a) Preamble. External audits from federal and state agencies have posed actual or potential impacts on the fiscal integrity and/or financial condition of the City of Providence, effecting subsequent annual budget appropriations or requiring mid-fiscal year appropriations.

(b) Definitions. "External agency" shall mean federal or state agency or an agency separate and apart from the city, or of any of its departments, agencies, boards, or commissions, imbued with regulatory, oversight, or auditing authority by federal or state law.

~~(a)~~

(c) Notification. *Within seven (7) days of receipt of an external agency's notice of intent to audit a city department, agency, board or commission, it shall be the responsibility of the director of the respective department, agency, or quasi city agency to send a copy of the letter of intent to the Internal Auditor. Upon completion of the draft audit, copies of the draft shall be submitted to the Internal Auditor.*

(d) Confidential Information. *When an audit emanates from confidential information, notice to any employee of the intent to audit does not render the specific confidential information public.*

SECTION 2. This ordinance shall take effect upon passage.

RESOLUTION OF THE CITY COUNCIL

No.

WHEREAS, To effectuate its goal of redevelopment, the Providence Redevelopment Agency (the “Agency”) will transfer real property to Tavares, LLC held by the Agency located at 1017 Broad Street and 17 Warrington Street, Assessors Plat: 053 Lots 582 and 619, Providence, RI 02905.

NOW, THEREFORE, BE IT RESOLVED, That the taxes in the amount of \$157,151.24 (One Hundred Fifty-Seven Thousand, One Hundred Fifty-One and 24/100 Dollars), assessed upon 1017 Broad Street and 17 Warrington Street, Assessors Plat: 053 Lots 582 and 619, Providence, RI 02905, along with any associated and/or intervening interest, penalties and taxes are hereby abated in whole and that the property is declared exempt, in accordance with Rhode Island General Law 45-32-40, while it was under Agency ownership.

City of Providence
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No.

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

FARO Technologies, Inc.
(Public Safety)

\$75,960.00

City of Providence
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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City of Providence
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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Cross Insurance, Inc. (Public Property)	\$53,037.00
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International Fire Service Training Association (Fire Department)	\$6,812.80
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City of Providence
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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(Fire Department)

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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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