

**CITY OF PROVIDENCE
RHODE ISLAND**



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 9 City Council Regular Council Meeting, Thursday, April 2, 2020, 5:30 o'clock P.M.

PRESIDING

**COUNCIL PRESIDENT
SABINA MATOS**

CALL TO ORDER

PRESENT: COUNCIL PRESIDENT MATOS, COUNCILWOMEN ANTHONY, CASTILLO, COUNCILMEN CORREIA, ESPINAL, COUNCILWOMAN HARRIS, COUNCILMAN IGLIOZZI, COUNCILWOMEN KERWIN, LAFORTUNE, MILLER, COUNCILMAN NARDUCCI, COUNCILWOMAN RYAN, COUNCILMEN SALVATORE AND TAYLOR – 14.

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

THIS MEETING WAS HELD VIA TELECONFERENCE

ROLL CALL

INVOCATION

The Invocation is given by **COUNCILMAN JOHN J. IGLIOZZI**.

"I would ask everybody to pray and keep in their minds and hearts the men and women who have passed away recently during this horrific Coronavirus situation. I also ask folks that we think about their families and friends who are struggling, who are fighting for their lives in the hospitals or at home, and also their families and friends who are concerned about their folks that are battling this horrific disease. I also ask that we all think of our neighbors and our friends who are at home trying to get by. As you know, 6.6 million Americans have filed for unemployment which means the other shoe, which hasn't dropped yet, the financial shoe where we have our neighbors and friends who will be out of work and who are struggling to make payments and to be able to provide for their family, their friends and their children. I ask that you think of them now because we're all going to have to work together to help them when the next wave hits after this horrific event continues on. I also ask that we think in our minds and hearts the first responders, the doctors and nurses and all the practitioners and everybody out there in the health community who are trying to help us all, trying to guide us all, trying to save us all and get us all healthy and hopefully into a better place. I also think it's important to thank our police and fire and those responders who are out there in the ambulance who are picking up folks that are not healthy and putting their lives on the line for us and our well-being. I also want to thank some of the unforgotten folks that I ask you all to think about which is like the delivery people, the people who are delivering the food to markets, to stores and the medications. Every day I am sure you all see out your window, you see the truck drivers going up and down and providing those types of needed supplies across this country and it's important that we keep them in mind also. So, I also ask that we think of them in our prayers and in our hearts. I also want to thank President Trump and his Task Force Team to help lead us in a positive direction, Governor Gina Raimondo and her team to lead us in the positive direction that she is doing and hopefully with their leadership and coordination across the nation we can all get through this together and hopefully with the least amount of loss, but I ask that we keep on fighting, we keep on listening to the directors and we do everything we can to keep all of us and our family, friends and neighbors safe. With that I would ask for a moment of silence. Thank you and God Bless America. In the name of the Father, the Son, the Holy Spirit. Amen."

PLEDGE OF ALLEGIANCE

COUNCILWOMAN KATHERINE A. KERWIN Leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

JEFFREY DANA'S LETTER - EXECUTIVE ORDER 20-05

Communication from Jeffrey Dana, City Solicitor, dated March 30, 2020, submitting his letter per Governor Gina Raimondo's Executive Order 20-5, issued March 30, 2020.

Per Governor Gina M. Raimondo's Executive Order 20-05, issued March 16, 2020, I advise the Council of the following:

The City Council is relieved from the prohibitions regarding the use of telephonic or electronic communication to conduct meetings, contained in RI General Laws 42-46-5(b), provided that it is meeting for an essential purpose and makes provisions to ensure public access to the meeting by adequate, alternative means. The Executive Order defines essential purpose as, "that which is necessary for continued government operations or to ensure compliance with the statutory or regulatory guidelines." This relief is in full force and effect until April 15, 2020.

APPROVAL OF MINUTES

Journal of Proceedings No. 7 of the Regular Meeting of the City Council held March 19, 2020, are approved as printed, on Motion of **COUNCILWOMAN RYAN**, Seconded by **COUNCILWOMAN HARRIS**.

Read and Passed, on Motion of COUNCILWOMAN RYAN, Seconded by COUNCILWOMAN HARRIS, by the following Roll Call Vote:

RESULT:	APPROVED (WITH VOTE) [UNANIMOUS]
MOVER:	Councilwoman Ryan
SECONDER:	Councilwoman Harris
AYES:	Council President Matos, Councilwomen Anthony, Castillo, Councilmen Correia, Espinal, Councilwoman Harris, Councilman Igliozzi, Councilwomen Kerwin, LaFortune, Miller, Councilman Narducci, Councilwoman Ryan, Councilmen Salvatore and Taylor – 14.

APPOINTMENT BY HIS HONOR THE MAYOR

Communication from His Honor the Mayor, dated March 24, 2020, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter 1980, as amended, Section 7-15 of the Code of Ordinances of the City of Providence and Rhode Island General Law 30-15-12, he is this day appointing **Clara F. Decerbo** of 98 Pleasant Street, Providence, Rhode Island 02906, to the position of **Director of the Providence Emergency Management Agency**, and respectfully submits the same for your approval.

COUNCILWOMAN RYAN Moves to Receive and Approve, Seconded by COUNCILWOMAN HARRIS, by the following Roll Call Vote:

RESULT:	RECEIVED AND APPROVED [11 TO 3]
MOVER:	Councilwoman Ryan
SECONDER:	Councilwoman Harris
AYES:	Council President Matos, Councilwomen Anthony, Castillo, Councilmen Correia, Espinal, Councilwomen Harris, Kerwin, LaFortune, Miller, Ryan and Councilman Salvatore – 11.
NAYS:	Councilmen Igliazzi, Narducci and Taylor – 3.

APPOINTMENT BY THE PRESIDENT OF THE CITY COUNCIL

Communication from Council President Sabina Matos, dated March 26, 2020, Informing the City Clerk of her appointment of Councilman Pedro J. Espinal as a member of the Committee on Urban Redevelopment, Renewal and Planning.

COUNCIL PRESIDENT MATOS Receives the foregoing Communication.

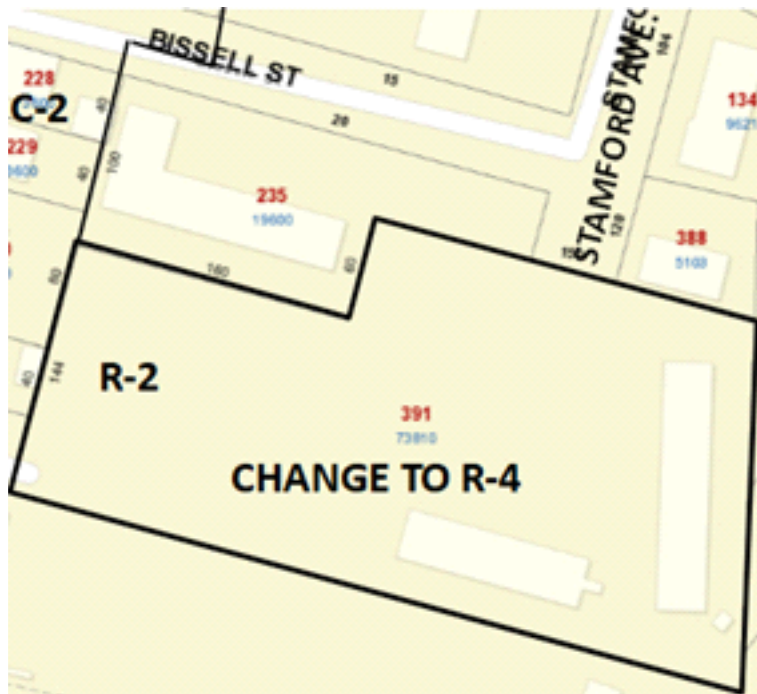
RESULT:	RECEIVED
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ORDINANCE(S) SECOND READING

The Following Ordinances were in City Council March 19, 2020, Read and Passed the First Time and are Severally Returned for Passage the Second Time:

An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence, Entitled: "The City of Providence Zoning Ordinance", Approved November 24, 2014, As Amended, to change the Zoning District on the Official Zoning Map for the property located on Assessor's Plat 89, Lot 391, located at 121 Stamford Avenue, from R-2 to R-4.

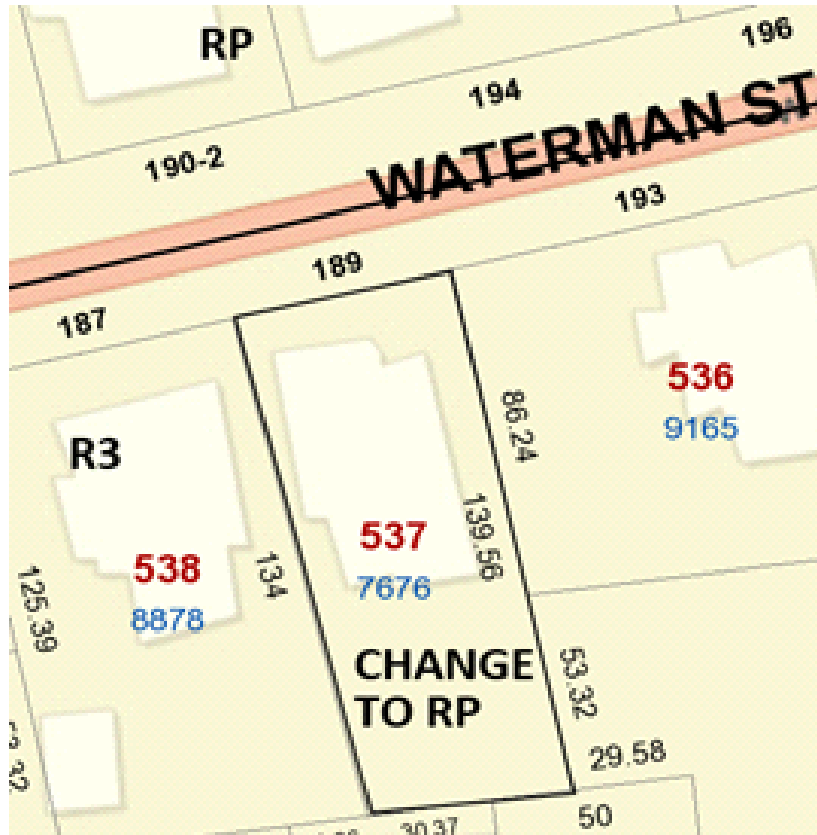
SECTION 1. Chapter 27 of the Code of Ordinances of the City of Providence, Entitled: "The City of Providence Zoning Ordinance", Approved November 24, 2014, As Amended, is hereby further amended by changing the Zoning District on the Official Zoning Map for the property located on Assessor's Plat 89, Lot 391, located at 121 Stamford Avenue, from R-2 to R-4.



Section 2. This Ordinance shall take effect upon passage.

An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence, Entitled: "The City of Providence Zoning Ordinance", Approved November 24, 2014, As Amended, to change the Zoning District on the Official Zoning Map for the property located on Assessor's Plat 14, Lot 537 (189 Waterman Street), from R-3 to RP.

SECTION 1. Chapter 27 of the Code of Ordinances of the City of Providence, Entitled: "The City of Providence Zoning Ordinance", Approved November 24, 2014, As Amended, is hereby further amended by changing the Zoning District on the Official Zoning Map for the property located on Assessor's Plat 14, Lot 537 (189 Waterman Street), from R-3 to RP.



Section 2. This Ordinance shall take effect upon passage.

Read and Passed the Second Time, on Motion of COUNCILWOMAN RYAN, Seconded by COUNCILWOMAN HARRIS, by the following Roll Call Vote:

An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence, Entitled: "The City of Providence Zoning Ordinance", Approved November 24, 2014, As Amended, to change the Zoning District on the Official Zoning Map for the property located on Assessor's Plat 89, Lot 391, located at 121 Stamford Avenue, from R-2 to R-4.

RESULT: READ/PASSED SECOND TIME [UNANIMOUS]
MOVER: Councilwoman Ryan
SECONDER: Councilwoman Harris
AYES: Council President Matos, Councilwomen Anthony, Castillo, Councilmen Correia, Espinal, Councilwoman Harris, Councilman Igliazzi, Councilwomen Kerwin, LaFortune, Miller, Councilman Narducci, Councilwoman Ryan, Councilmen Salvatore and Taylor – 14.

An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence, Entitled: "The City of Providence Zoning Ordinance", Approved November 24, 2014, As Amended, to change the Zoning District on the Official Zoning Map for the property located on Assessor's Plat 14, Lot 537 (189 Waterman Street), from R-3 to RP.

RESULT: READ/PASSED SECOND TIME [12 TO 2]
MOVER: Councilwoman Ryan
SECONDER: Councilwoman Harris
AYES: Council President Matos, Councilwoman Castillo, Councilmen Correia, Espinal, Councilwoman Harris, Councilman Igliazzi, Councilwomen Kerwin, Miller, Councilman Narducci, Councilwoman Ryan, Councilmen Salvatore and Taylor – 12.
NAYS: Councilwomen Anthony and LaFortune – 2

The Motion for Passage the Second Time is Sustained.

PRESENTATION OF ORDINANCES

COUNCIL PRESIDENT MATOS, COUNCILMEN IGLIOZZI, CORREIA AND NARDUCCI, (By Request):

An Ordinance in Accordance with Chapter 21, Section 19 of the Code of Ordinances of the City of Providence, Entitled "Capital Equipment Budget," As Amended.

An Ordinance in Accordance with Chapter 21, Section 19 of the Code Of Ordinances of the City of Providence, Entitled “Capital Equipment Budget,” As Amended.

COUNCILWOMAN RYAN Refers the Ordinance to the Committee on Finance, Seconded by COUNCILWOMAN.

COUNCILWOMAN RYAN Withdraws her motion and COUNCILWOMAN HARRIS Withdraws her Second.

COUNCILWOMAN RYAN Refers the Several Ordinances to the Committee on Finance, Seconded by COUNCILWOMAN HARRIS, by the following Roll Call Vote:

RESULT:	REFER TO COMMITTEE ON FINANCE [UNANIMOUS]
MOVER:	Councilwoman Ryan
SECONDER:	Councilwoman Harris
AYES:	Council President Matos, Councilwomen Anthony, Castillo, Councilmen Correia, Espinal, Councilwoman Harris, Councilman Igliozi, Councilwomen Kerwin, LaFortune, Miller, Councilman Narducci, Councilwoman Ryan, Councilmen Salvatore and Taylor – 14.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT MATOS, (By Request):

Resolution Requesting to Reschedule the Ward 1 Special Election.

WHEREAS, On January 27, 2020 pursuant to Section 206(a)(4) of the Providence Home Rule Charter of 1980, the City Council declared that a vacancy exists in the Office of a Member of the City Council from the First Ward caused by the resignation of the Councilman Seth Yurdin, and that in accordance with Section 206(b) of the Providence Home Rule Charter of 1980, the City Council hereby ordered that a Special Election be held for the purpose of filling said vacancy, within ninety (90) days of the occurrence; and

WHEREAS, The City Council directed the Board of Canvassers of the City of Providence, and all other officers whose duty it is to prepare for elections, to make such preparations for said Special Election; and

WHEREAS, In accordance with Section 17-15 3 of the General Law of the State of Rhode Island, the Board of Canvassers held a special primary election for the nomination of such city official for Ward 1 on March 3, 2020; and

WHEREAS, On March 9, 2020, Governor Gina Raimondo issued Executive Order 20-02 declaring a state of emergency for the State of Rhode Island due to the dangers to health and life posed by COVID-19 and activating the state disaster emergency plan; and

WHEREAS, The Ward I special general election is currently scheduled for April 7, 2020; and

WHEREAS, Rhode Island and the City of Providence continues to see an increase in the number of residents who have tested positive for COVID-19;

WHEREAS, Slowing the spread of community transmission of COVID-19 in Rhode Island and the United States is critical to allow our health care providers to help the afflicted;

WHEREAS, Minimizing contact between individuals, including those who would ordinarily vote at a polling place, will help to slow the spread of COVID-19.

NOW, THEREFORE, BE IT RESOLVED:

1. The timeframes contained in Section 206(b) of the Providence Home Rule Charter of 1980, for holding a special election due to vacancies in elective offices are hereby suspended.

2. The Board of Canvassers may take all reasonable and necessary steps to hold the Ward 1 special general election on May 5, 2020. The holding of the election on this date, however, is subject to public health concerns related to the COVID-19 emergency. If the Board of Canvassers receives guidance from the Providence Emergency Management Agency, in collaboration with the State of Rhode Island Department of Health, that public health concerns require the selection of an alternate date, it may do so.

3. The Board of Canvassers, working in conjunction with the Rhode Island Board of Elections and the Secretary of State, shall determine a plan to hold a predominantly mail ballot special general election.

COUNCILWOMAN RYAN Makes a Motion to Amend the Resolution by inserting language under section two "NOW, THEREFORE, BE IT RESOLVED", "The holding of the election on this date, however, is subject to public health concerns related to the COVID-19 emergency. If the Board of Canvassers receives guidance from the Providence Emergency Management Agency, in collaboration with the State of Rhode Island Department of Health, that public health concerns require the selection of an alternative date, it may do so, also number three insert language after the word "with" under the same section that reads "Rhode Island Board of Elections and", Seconded by **COUNCILWOMAN HARRIS**, by the following Roll Call Vote:"

RESULT:	MOTION TO AMEND THE FOREGOING MATTER [9 TO 5]
MOVER:	Councilwoman Ryan
SECONDER:	Councilwoman Harris
AYES:	Council President Matos, Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliazzi, Narducci, Councilwoman Ryan, Councilmen Salvatore and Taylor – 9.
NAYS:	Councilwoman Anthony, Councilman Espinal, Councilwomen Kerwin, LaFortune and Miller – 5.

**COUNCILMEN CORREIA, TAYLOR, IGLIOZZI, COUNCILWOMAN RYAN
AND COUNCILMAN NARDUCCI**

Resolution Requesting the Director of Human Resources amend the Adverse Health Event Policy to include the City Clerk's Office and the City Council Office as essential departments within the city.

WHEREAS, The novel coronavirus, COVID-19, is a recognized pandemic that has spread globally and threatens the health, well-being, and financial stability of community members globally; and

WHEREAS On March 9, 2020, Governor of Rhode Island Gina Raimondo declared, by Executive Order 20-02, a Declaration of Disaster Emergency in connection with the outbreak of the novel coronavirus "COVID-19"; and

WHEREAS, On March 12, 2020, Providence Mayor Jorge Elorza declared a state of emergency for the city of Providence; and

WHEREAS, On March 27, 2020, the Director of Human Resources released an updated Adverse Health Event Policy which contains a section that identifies essential departments within the City; and

WHEREAS, Although the Adverse Health Event Policy does not define the term "essential department", it does define essential employees as "any person who performs tasks directly or peripherally supportive of our mission to provide necessary services during periods of adverse public health, or emergency support functions that may be mobilized during such an event"; and

WHEREAS, The City Clerk's office and the City Council office have been performing tasks directly supportive of the City mission since the beginning of the state of emergency and have been integral in maintaining governmental operations during that time; and

WHEREAS, The employees within the City Clerk's office and the City Council office clearly meet the definition of essential employees under the Adverse Health Policy, yet their departments were not included in the list of essential departments; and

WHEREAS, The Adverse Health Event Policy has failed to identify all essential departments within the City which creates a risk that certain critical governmental services may not occur at the time they are needed the most.

NOW, THEREFORE, BE IT RESOLVED, That the Providence City Council does hereby request that the Director of Human Resources amend the Adverse Health Event Policy to include the City Clerk's office and the City Council office as essential departments within the City.

BE IT FURTHER RESOLVED, That, upon passage, copies of this resolution be sent to the Mayor of Providence and the Director of Human Resources

**COUNCILWOMEN MILLER, ANTHONY, COUNCILMAN ESPINAL,
COUNCILWOMAN LAFORTUNE, COUNCILMAN NARDUCCI,
COUNCILWOMAN CASTILLO, COUNCILMAN CORREIA AND
COUNCILWOMAN HARRIS**

Resolution Requesting the City Council to protect families and small businesses from economic hardship due to COVID-19 Preparedness.

WHEREAS, The novel coronavirus, COVID-19, is a recognized pandemic that has spread globally and threatens the health, well-being, and financial stability of community members globally; and

WHEREAS On March 9, 2020, Governor of Rhode Island Gina Raimondo declared, by Executive Order 20-02, a Declaration of Disaster Emergency in connection with the outbreak of the novel coronavirus “COVID-19”; and

WHEREAS, On March 12, 2020, Providence Mayor Jorge Elorza declared a state of emergency for the city of Providence; and

WHEREAS, The City of Providence, like the State of Rhode Island, is committed to helping to stop the spread of this pandemic within our jurisdiction by encouraging common sense measures like social distancing, frequent hand washing, limiting public events, and encouraging community members to stay at home if they are not feeling well; and;

WHEREAS, Many members of our community live paycheck to paycheck, cannot work from home, and lack adequate health insurance.

NOW, THEREFORE, BE IT RESOLVED, That the Providence City Council urges the State of Rhode Island to:

1. Take action to suspend evictions due to nonpayment of rent if inability to pay rent is due to loss-of-income related to reasonable precautions to avoid the spread of COVID-19.
2. Take action to suspend foreclosure proceedings for homeowners and landlords if inability to make timely mortgage payments is related to reasonable precautions to avoid the spread of COVID-19.
3. Mandate that Unemployment Insurance and Temporary Disability Insurance be considered acceptable sources of income for all residential rental agreements.
4. Mandate that all tax sale proceedings authorized by Rhode Island General Law §44-9 et. seq. be suspended until no earlier than July 15, 2020.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to the Honorable Governor of the State of Rhode Island, the Director of the Rhode Island Department of Health, the Director of the Rhode Island Department of Labor and Training, the Field Office Director of the Rhode Island Branch of the U.S. Department of Housing and Urban Development, the Honorable Speaker of the Rhode Island House of Representatives, the Honorable President of the Rhode Island Senate, all State Senators and State Representatives whose jurisdiction includes any part of the City of Providence, executive offices of National Grid, and executive offices of Providence Water.

On Motion of COUNCILWOMAN RYAN, Seconded by COUNCILWOMAN HARRIS, it is voted to pass the Several Resolutions, by the following Roll Call Vote:

Resolution Requesting the Director of Human Resources amend the Adverse Health Event Policy to include the City Clerk's Office and the City Council Office as essential departments within the city.

RESULT: PASSED [8 TO 5]

MOVER: Councilwoman Ryan

SECONDER: Councilwoman Harris

AYES: Council President Matos Councilwoman Castillo, Councilman Correia, Councilwoman Harris, Councilmen Igliazzi, Narducci, Councilwoman Ryan and Councilman Taylor – 8.

NAYES: Councilwoman Anthony, Councilman Espinal, Councilwomen Kerwin, LaFortune and Miller – 5.

RECUSED: Councilman Salvatore – 1.

Resolution Requesting the City Council to protect families and small businesses from economic hardship due to COVID-19 Preparedness.

RESULT: PASSED [14 TO 0]

MOVER: Councilwoman Ryan

SECONDER: Councilwoman Harris

AYES: Council President Matos, Councilwomen Anthony, Castillo, Councilmen Correia, Espinal, Councilwoman Harris, Councilman Igliazzi, Councilwomen Kerwin, LaFortune, Miller, Councilman Narducci, Councilwoman Ryan, Councilmen Salvatore and Taylor – 14.

The Motion for Passage is Sustained.

**MATTER NOT APPEARING
ON THE PRINTED DOCKET**

On Motion of COUNCILWOMAN RYAN, Seconded by COUNCILWOMAN HARRIS, it is voted to Suspend Rule 16(b) of the Rules of the City Council in order to allow the introduction of the following Matter Not Appearing on the Printed Docket.

COMMUNICATION

Communication from His Honor the Mayor, dated March 13, 2020, submitting the Community Development Block Grant Budget for Program Year 2020-2021.

RESULT:	REFERRED
TO:	Committee on Urban Redevelopment, Renewal and Planning

CONVENTION

There being no further business, on Motion of **COUNCILWOMAN RYAN**, Seconded by **COUNCILWOMAN HARRIS**, it is voted to adjourn in memory of the folks who have lost their lives to this terrible ugly virus COVID-19 at 6:37 o'clock P.M., to meet again **THURSDAY, APRIL 16, 2020 at 5:30 o'clock P.M.**



**SHAWN SELLECK
CITY CLERK**