

**MINUTES OF A REGULAR MEETING
PROVIDENCE REDEVELOPMENT AGENCY
Thursday, December 10, 2009
400 Westminster Street, Providence, RI 02903**

The Providence Redevelopment Agency (PRA) met in regular session at the Office of the Agency at 400 Westminster Street, Providence, Rhode Island on Thursday, December 10, 2009 at 4:03P.M.

The Chairman called the meeting to order. Present were: Henry Kates, Chairman; Robert Montecalvo, Julius Kolawole, Jim DeRentis and Councilman Luis Aponte

Absent at Time of Roll Call: Leslie Gardner, Vice Chairwoman; and Councilman Leon Tejada

Staff in attendance: Thomas E. Deller, Executive Director; William Smitherman, Legal Counsel and Marcia Brown, Recording Secretary; Mike Lepore Assistant Director of Real Estate

Others in attendance: Mark Russell, Cumberland Farms; Aaron Davis, John Everson, Narragansett Improvement; Harrison Bilodeau, Joe Cain, Jeffrey Cain, Paul Raposa and Lisa Fortin, Sprague; Chris Hunter, Working Waterfront Alliance; Mark Ryan and Tom Moses, Moses and Afonso; Barbara Bennett, Johnson and Wales; Anthony Coletta, Coletta's Collison Center; Joel Cohen, Promet Marine Services; Andrew Teitz for PWWA; Sean Coffey, Eddie Chara, Ellis Waldman.

Councilman Tejada arrives 4:04PM

Approval of Minutes: Councilman Aponte made a motion to approve the minutes which was seconded by Mr. Kolawole. The motion passed unanimously and the minutes were approved as submitted.

NEW BUSINESS

Mr. Deller reported that there is an ordinance before the City Council proposing the adoption of the Allens Avenue and Port Redevelopment Plan Amendment. The agency is charged with making a recommendation to the City Council for sole purposes of whether they feel the redevelopment plan should be adopted or not. The plan calls for the acquisition of two parcels in the ProvPort area either by

purchase or eminent domain; it calls for the transfer from the City of Providence to the Providence Redevelopment Agency a parcel of land between the Port of Providence and Save the Bay, former landfill area, to be transferred to the Agency; it calls for the transfer to the Redevelopment Agency of the city roads behind the security gates at the Port of Providence for control and it authorizes the Redevelopment Agency to own that land for more than twenty years. Legal Counsel reviewed the document and recommends two changes which he recommends because of the debate about what the redevelopment plan means and what property is being acquired. Mr. Deller stated that since his involvement with the Agency, the city has never acquired a property by eminent domain that hasn't been identified by plat and lot in the plan, and to make it clear, it is being proposed (Page 22) and recommended to the Council, that a new paragraph would be added that reads "no property that is not identified in this plan to be taken by eminent domain by the Providence Redevelopment Agency shall be taken by eminent domain by the Agency unless this plan is specifically amended to add the property at a future date." The other change is located on fourth paragraph, page 22 should read "lease 20 years or such time as the bond for the acquisition cost have been paid in their entirety". These changes are based on legal review. The other issue that has been of great debate is what are the implications of the redevelopment project area and the boundaries of the redevelopment project. The Port of Providence Redevelopment Plan was adopted in 1984 and prior to that time, a redevelopment area was identified and that area has been on the books since about 1982. Those areas were amended in 1996 and the area under consideration today is in a redevelopment area. Councilman Aponte is aware of this and given that no action is proposed north of Thurbers Avenue we would recommend to the Council that the redevelopment project area line will be pulled back to Thurbers Avenue. Mr. Deller stated that this is a Council action and not a redevelopment agency action and the agency is recommending to the Council either adoption or rejection or adoption with amendment.

Mr. Deller asked that the agency members act to recommend to the Council that this plan be adopted with following changes: 1) relative to the length of time that the property can be tax-exempt to be concurrent with the financing of any action that this agency takes and if that financing goes away earlier, that their tax exempt status goes away also; 2) language be included in the plan that if a parcel isn't specifically identified for eminent domain, it cannot be acquired and if there is an attempt to acquire a parcel that is not identified in the plan and if we want to acquire it by eminent domain then we have to go back to public process to amend the plan to restate what has been the practice of the agency and we believe is the

law; 3) recommend to the City Council that the redevelopment line be pulled back to Thurbers Avenue.

The Chairman opened the meeting for public comment. Several people spoke about their concern with the plan and the designation of their property as substandard and blighted which would make it difficult for them to invest and develop their properties. Also, many spoke in support of moving the redevelopment plan boundary line back to Thurbers Avenue.

Mr. Moses, representing Johnson and Wales, requested that Johnson and Wales Harborside Campus be removed from the Redevelopment Plan.

Mr. Coffey asked that the agency vote not to recommend the redevelopment plan amendment to the Council.

Ms. Gardner arrives at 4:50 p.m.

Mr. Boehnert, who represents the Providence Redevelopment Agency, explains the changes that were being made to the Allens Avenue and Port of Providence Redevelopment Plan.

Mr. Deller asked that the agency recommend to the City Council adoption and approval of the amended Allens Avenue and Port Redevelopment Plan as noted previously.

Mr. Deller stated that when the redevelopment plan was amended, there were no changes in boundaries around the Johnson and Wales campus. Mr. Deller is acknowledging Mr. Moses point that Johnson and Wales has invested a lot of money and made a lot of improvement and that the line could be adjusted so that all of their buildings will be taken out of the plan.

Mr. Moses suggested that the entire Johnson and Wales Campus be removed from the plan.

After discussion it was moved by Councilman Aponte and seconded by Councilman Tejada that the amended resolution of the Allens Avenue and Port Redevelopment Plan be adopted. The motion passed and Mr. DeRentis opposed the action and Mr. Kolawole recused himself. The motion passed and Resolutions No. 2009-20 was adopted.

Promenade Center Redevelopment Plan

Mr. Deller reported this project is for the acquisition of two properties in the Promenade area for the environmental remediation of the site, development of a public street and the potential development and sell off of parcels of land for redevelopment and growth. There would be the creation of Charlotte Hope Street which would run from Harris to Kinsley and would open up an old mill building for redevelopment.

After discussion it was duly moved by Mr. DeRentis and seconded by Councilman Aponte that the resolution recommending the Promenade Center Redevelopment Plan Amendment be submitted to the City Council with the few changes relative to 20 year lease or whichever comes first pertaining to tax exemption and also any property be acquired by eminent domain needs to be specifically identified. The motion passed unanimously and Resolution No. 2009-21 was adopted.

Resolution Designating the Developer for 63 Camden Avenue and 58 Wayne Street – Mr. Deller reported that these properties were originally designated for owner occupancy but given the economic situation staff has been working with Smith Hill CDC and Councilman Hassett and have determined that it be best to incorporate these two properties into the tax credit project on Smith Hill.

After discussion it was duly moved by Councilman Aponte and seconded by Mr. Montecalvo that the Agency authorize the change from required homeownership of these two properties to rental. The motion passed unanimously and Resolution No. 2009-17 was adopted.

Resolution Authorizing the Executive Director to enter into an agreement with Citizens Bank relative to the Smith Hill Capital Square Project

Mr. Deller reported that staff has been working with Smith Hill CDC and Citizens Bank in an effort to get Capital Square condominium development straightened out. We have agreed to guarantee interest only payments of the mortgage for a twelve month period while the units are being sold.

After discussion it was duly moved by Mr. DeRentis and seconded by Councilman Aponte that agency authorize execution of the agreement after final review by Legal Counsel and Citizens Bank. The motion passed unanimously and Resolution No. 2009-18 was adopted.

Resolution Ratifying All Previous Signatures and Authorizing the Executive Director to Execute all Documents associated with the Sale of the Blackstone III Properties

Mr. Deller explained that all but one property has been sold as part of the Blackstone III project. The title attorney has decided that the same signature needs to be on all the documents. Mr. Deller is asking that the agency authorize him to sign the last deed. The motion was made by Councilman Aponte and seconded by Mr. Kolawole and the motion passed unanimously and Resolution No. 2009-19 was adopted.

Mr. Deller asked that Item 9 be continued indefinitely. Councilman Aponte made the motion and seconded by Mr. Montecalvo. The motion passed.

ADJOURNMENT

Councilman Aponte made the motion to adjourn and seconded by Mr. Montecalvo. The meeting adjourned at 5:30 p.m.