

I-195 REDEVELOPMENT DISTRICT COMMISSION

MEETING OF COMMISSION

PUBLIC SESSION

JULY 21, 2014

The I-195 Redevelopment District (the "District") Commission (the "Commission") met on Monday, July 21, 2014 in Public Session, beginning at 5 P.M., at the offices of the Rhode Island Commerce Corporation, located at 315 Iron Horse Way, Suite 101, Providence, Rhode Island, pursuant to a notice of the meeting to all Commissioners and public notice of the meeting, a copy of which is attached hereto, as required by applicable Rhode Island law.

Except as noted below, the following Commissioners were present and participated throughout the meeting: Chairperson Colin Kane, Dr. Barrett Bready, Ms. Barbara Hunger, Ms. Diana Johnson, Mr. John Kelly, Mr. Mark Ryan and Mr. Michael Van Leesten. Also present were non-voting Commissioners Mr. James Bennett and Mr. Marcel Valois.

Also present were Ms. Jan Brodie, District Executive Director, and Ms. Kate Holguin, District Project Associate, and Mr. Charles F. Rogers of Edwards Wildman Palmer LLP, legal counsel to the District.

Chairperson Kane called the meeting to order at 5:05 PM.

1. APPROVAL OF THE MINUTES OF THE MEETINGS HELD ON JUNE 16 AND JUNE 30, 2014

Chairperson Kane stated that the minutes of the public and closed meetings of June 16, 2014 had been distributed to the Commissioners and asked if there were any comments or corrections.

There being none, upon motion duly made and seconded, the following vote was adopted:

VOTED: To approve the minutes of the public and closed meetings held on June 16, 2014 as submitted.

Voting in favor of the foregoing were: Chairperson Kane, Dr. Bready, Ms. Hunger, Mr. Kelly, Mr. Ryan and Mr. Van Leesten (Ms. Johnson abstained from voting because she did not attend the June 16 meetings).

Voting against the foregoing were: None.

Chairperson Kane stated that the minutes of the public and closed meetings of June 30, 2014 had been distributed to the Commissioners and asked if there were any comments or corrections. Mr. Kelly suggested amending the notes to reflect that RIDOT presented

to the Commission a cost estimate, rather than a budget. It was also noted that Mr. Ryan's name should be removed from the votes in the closed meeting minutes due to his recusal during the closed meeting, while Ms. Johnson's name should be added.

Upon motion duly made and seconded, the following vote was adopted:

VOTED: To approve the minutes of the public and closed meetings held on June 30, 2014 subject to recommended changes.

Voting in favor of the foregoing were: Chairperson Kane, Dr. Bready, Ms. Hunger, Ms. Johnson, Mr. Kelly, Mr. Ryan and Mr. Van Leesten.

Voting against the foregoing were: None.

2. EXECUTIVE DIRECTOR'S REPORT

Ms. Brodie provided a summary of her recent activities as follows:

- a. The District is moving forward with two development proposals for the land. No LOIs have been signed, but talks about zoning and permitting have begun. More information about the EB-5 financing program (which will be used for the BioLab) has been obtained through seminars and meetings with the EB-5 regional center in Boston.
- b. The Park Design Review Subcommittee will meet again on Wednesday, July 23rd, at 9:30 AM.
- c. Budget reconciliation for FY2014 is ongoing. The FY2014 and FY2015 budgets were circulated to the Commission prior to the meeting.
- d. A brochure will be made advertising the 12 interim use art installations as part of a strategy to market District property.
- e. There was a brief discussion of the status of preparation of rules and regulations to be adopted with respect to permitting processes and procedures for projects to be developed on District properties. It was suggested that a legal issues subcommittee be officially created at the next Commission meeting. This legal subcommittee will, among other things, make recommendations to the Commission regarding such policies and procedures and rules and regulations.

3. DISCUSSION REGARDING THE REQUEST BY MR. STEPHEN BERANBAUM FOR A USE OF A PORTION OF PARCEL 28 FOR PARKING AND VOTE

There was a discussion surrounding a request from Mr. Stephen Beranbaum of Richmond & Friendship LLC to use a portion of District Parcel 28 for parking purposes. This portion of Parcel 28, which totals 3,890 sq. ft. and includes 28 parking spaces, has been used by Mr. Beranbaum for decades for parking purposes. Mr. Beranbaum recently discovered that the parking area he has been using is actually located on Parcel 28 and disclosed that fact to the District. Mr. Beranbaum requested that the District grant him a license or easement so that he could continue to operate his parking lot on Parcel 28. There was discussion as to whether it was appropriate to allow such a use of public property and it was suggested that the use by Mr. Beranbaum be terminated. It was suggested that the boundary be confirmed by DOT by the time of the next Commission meeting, August 18, 2014, and if the survey line as shown by Mr. Beranbaum is confirmed by DOT then the use of Parcel 28 by Mr. Beranbaum will be terminated as of August 18 and Mr. Beranbaum will have no further right to the use of any portion of Parcel 28. In the meantime, Mr. Beranbaum will name the District on his insurance policy and will deliver a certificate of insurance to the District. If the DOT surveys confirms that the parking is located on Parcel 28, DOT will place stones in place as on other parcels to demarcate the property line of Parcel 28.

Upon a motion duly made by Ms. Johnson and seconded by Mr. Van Leesten, the following vote was adopted:

VOTED: That the District delineate ownership of the portion of Parcel 28, and prohibit use of the site for parking by Mr. Beranbaum, by August 18, 2014, if validated by DOT survey.

Voting in favor of the foregoing were: Chairperson Kane, Dr. Bready, Ms. Hunger, Ms. Johnson, Mr. Kelly, Mr. Ryan and Mr. Van Leesten.

Voting against the foregoing were: None.

4. DISCUSSION AND REVIEW OF PROPOSALS TO PURCHASE AND DEVELOP DISTRICT PROPERTY

Chairperson Kane noted that, pursuant to the notice of the meeting, the Commission would go into Executive Session in order to discuss proposals to purchase and develop District property.

Accordingly, upon motion duly made and seconded, the following vote was adopted:

VOTED: To go into Closed Session, pursuant to the Open Meetings Act, Rhode Island General Laws Section 42-46-5(a) (the Open Meetings Law) in order to discuss proposals to purchase and develop District property.

Voting in favor of the foregoing were: Chairperson Kane, Dr. Bready, Ms. Hunger, Ms. Johnson, Mr. Kelly, Mr. Ryan and Mr. Van Leesten.

Voting against the foregoing were: None.

Members of the public were then asked to leave the boardroom for the Closed Session, and members of the Commission and staff entered into closed session at 6:25 PM.

Mr. Ryan recused himself from the Closed Session at 6:40 PM and did not rejoin the meeting when the Public Session was reconvened.

The Public Session was reconvened at 9:35 PM.

Chairperson Kane reported that the discussion during the Closed Session was confined to discussion of proposals to purchase and develop District property and that no votes were taken. The Commission voted to end the Closed Session, maintain the Closed Session records and reconvene the Public Session.

Upon motion duly made and seconded, the following vote was adopted:

VOTED: That pursuant to Rhode Island General Laws Section 42-46-4, Section 42-46-5 and Section 42-46-7, the Open Meetings Act, the minutes of the Closed Session shall not be made available to the public, except as to the portions of such minutes as the Commission ratifies and reports in Public Session of this meeting.

Voting in favor of the foregoing were: Chairperson Kane, Dr. Bready, Ms. Hunger, Ms. Johnson, Mr. Kelly and Mr. Van Leesten.

Voting against the foregoing were: None.

5. CHAIRPERSON'S REPORT/AGENDA FOR AUGUST 18, 2014 MEETING

The next Commission meeting will be held Monday, August 18, 2014.

There being no further business in the Public Session, upon motion duly made and seconded, the meeting was adjourned at 9:40 PM.

 8/15/14

Colin P. Kane
Chairperson

I-195 REDEVELOPMENT DISTRICT COMMISSION

PUBLIC NOTICE OF MEETING

A meeting of the I-195 Redevelopment District Commission will be held at **Rhode Island Commerce Corporation, 315 Iron Horse Way, Providence, Rhode Island**, on **MONDAY, JULY 21, 2014**, beginning at 5 P.M., for the following purposes:

I. PUBLIC SESSION

1. Welcome by Chairperson: Chairperson Colin Kane.
2. Approval of the Minutes of the Commission Meetings Held on June 16, 2014 and June 30, 2014.
3. Executive Director's Report – Review of Activities During Past Month and Business Plan for the Period July – December 2014.
4. Discussion Regarding the Request by Mr. Stephen Beranbaum for Use of a Portion of Parcel 28 for Parking and Vote.
5. Update from Counsel Regarding District Permitting Process.

II. EXECUTIVE SESSION

To consider and act upon such matters as may be considered at a meeting closed to the public pursuant to Rhode Island General Laws, Section 42-46-5(a) (the Open Meetings Law), specifically matters permitted to be so considered under subsection (5) (acquisition and disposition of public property).

6. Review of Proposals to Purchase and Develop District Property.

III. PUBLIC SESSION

7. Chairman's Report – Review of Activities in Past Month and Proposed Future Activities/ Tentative Agenda for August 18, 2014 Meeting.
8. Vote to Adjourn.

The location is accessible to the handicapped. Those requesting interpreter services must notify the I-195 Redevelopment District Commission at (401) 383-5900 forty-eight (48) hours in advance of the meeting. Also, for the hearing impaired, assisted listening devices are available onsite, without notice, at this location.