

MEETING MINUTES

CAPITAL CENTER COMMISSION

Thursday, June 12, 2008

12:00 Noon

First floor Conference Room

30 Exchange Terrace

Providence, RI

1. Roll Call:

Chairman Gardner called the meeting to order at 12:07 PM. Members present included Leslie A. Gardner, Guy Abelson, Merlin DeConti, Steve Durkee, Barry Fain (arrived 12:15 PM), Stanley Weiss, Christopher Thomas and Wilfrid Gates. Members absent included: Rebecca Barnes, Greg Benick, Jennifer Cookke, Councilwoman Josephine DiRuzzo, Councilman Terrence Hassett, Duncan Johnson, and Philip Stone.

Others present included Daniel Baudouin, The Providence Foundation and Todd Turcotte, Capital Properties, Inc.

Chairman Gardner noted that Linda Pascoa was filling in for Deborah Melino-Wender as Deborah's husband suffered a heart attack and

wished him well.

2. Minutes:

2.1 Approval of Commission Minutes of April 10, 2008. The motion was duly made, seconded and unanimously passed to approve the minutes of the Capital Center Commission meeting of April 10, 2008.

2.2 Acceptance of the Design Review Committee Minutes of May 20, 2008. The motion was duly made, seconded and unanimously passed to accept the minutes of the Design Review Committee minutes of May 20, 2008.

3. Report of the Executive Director:

Chairman Gardner informed the Committee that Phil Stone, a Governor appointment, has resigned due to work commitments. A motion was made by Mr. Durkee and seconded by Mr. Gates and unanimously passed commending Mr. Stone for his services.

At this point, Mr. Gates also noted the Committee's well wishes to Deborah and her husband.

4. Parcel 15: RI Credit Union: Request for Extension of Parking Approval:

Chairman Gardner noted that in June 2002, the Commission granted a

two-year approval for temporary surface parking for the lot at the corner of Smith and Francis Streets through June 13, 2004, contingent upon the RI Credit Union obtaining a temporary zoning variance. This approval was extended in 2006 for an additional two-year period through June 13, 2008.

The RI Credit Union obtained a permanent zoning variance for surface parking at this site; the Commission approved a two-year, temporary permit. The Credit Union is looking for a two-year extension to the existing approval.

The motion was duly made by Mr. Gates and seconded by Mr. Abelson and unanimously passed to extend the approval for the temporary surface parking for a two year period through June 13, 2010.

5. Parcel 14: Moran Shipping: Request for Construction Signage:

Mr. Durkee recused himself from participation in this matter.

Chairman Gardner noted that Moran Shipping, who is renovating the former RI Medical Society building for their headquarters is looking to install a construction sign on the property. The sign will be 4' x 8'. The Design Review Committee reviewed the sign at its May 20th meeting and is recommending approval.

The motion was made by Mr. Abelson, seconded by Mr. DeConti and unanimously passed to approve the installation of the temporary construction signage through the completion of the project renovation.

Chairman Gardner noted that notification be sent to Moran Shipping of temporary signage approval.

6. Legal Consultant Contract:

Chairman Gardner noted that the legal services contract with Richard Peirce of Roberts, Carroll, Feldstein & Peirce, Inc. expires on June 14, 2007. The Commission has engaged the services of Mr. Peirce since 1991. The contract is for the amount of \$20,000.

The motion was duly made by Mr. Durkee, seconded by Mr. Weiss and unanimously passed to authorize the Executive Director to execute a one year \$20,000 legal services contract with the firm of Roberts, Carroll, Feldstein & Peirce, Inc. terminating on June 14, 2009, under the same terms and conditions to remain as set forth in the previous year's contract.

7. Budget Update:

Chairman Gardner reported on the funding challenges facing the Commission and noted that Daniel Baudouin had just informed her

that the House Finance Committee passed approval of funding for approximately \$18,000, and that chances are the Senate will do the same. There are many concerns going forward. Chairman Gardner also noted that in conversation with Councilman Hasset as well as Gordon Fox that they were not aware there is still 1/3 of Capital Center yet to be developed. Much thought and discussion needs to take place to make the best possible decisions. Mr. Durkee noted that a solution may be to decrease the Executive Director's position to a part-time position, or to transition to the City's Planning Department. Mr. DeConti noted to take a close look at the budget and possibly offering the Director severance pay and retaining outside help on a part-time basis. Chairman Gardner noted that this position is not just answering phones and requires much interpretation and regulation, and that the intent is to continue to adhere to the Commission's procedures and regulations. Barry Fain suggested possibly transitioning the Executive Director, with all her knowledge and expertise, part-time to Planning, State and the Commission. Stanley Weiss suggested contracting with The Providence Foundation, since Dan is very much aware as to what is going on.

Daniel Baudouin noted that the Foundation recently emailed the Capital Center property owners informing them of the funding challenges facing the Commission and asked that their voice be heard by contacting the House and Senate leadership and the Mayor's office on this important issue. Chairman Gardner noted that the consensus of the developers is that they would like the

Commission to continue operation. The Chairman will be meeting with the Mayor and Thom Deller to discuss options. Daniel Baudouin noted that changes to the Commission role and make-up need approval of the General Assembly; however, administrative changes can be made without their approval. Stanley Weiss noted that a Transition Committee should be formed to more clearly address the issues.

Chairman Gardner noted that there are many items to discuss, such as increasing the fee schedule, possibly creating a blind trust run by the Rhode Island Foundation, or transitioning to City Planning Department. Daniel Baudouin noted that Ted Sanderson should be part of the transitioning discussion as well.

8. New Business:

Chairman Gardner informed the Committee that legal counsel has determined that Section 4.5 of the Internal Operating Procedures permits the Chair to approve the issue of temporary signage, provided that it relates to an already approved project. The Chair has the option to refer the issue to the DRC and then to the full Commission. Chairman Gardner noted that, out of an abundance of caution, particularly in high profile projects, the Chair has not used this power. Recently members have expressed a desire to streamline some of the approvals and the Chairman agreed.

9. Adjournment:

Prior to adjournment of the meeting, Todd Turcotte of Capital Properties, Inc. expressed his strong support of the Commission and would like the Commission to continue with its regulations.

There being no further business the meeting adjourned at 12:45 PM.

Christopher Thomas
Secretary/Treasurer