

## **PUBLIC NOTICE OF MEETING**

A meeting of the I-195 Redevelopment District Commission will be held at **Rhode Island Economic Development Corporation, 315 Iron Horse Way, Providence, Rhode Island**, on **MONDAY, JUNE 10, 2013**, beginning at **5:00 p.m.**, for the following purposes:

Call to Order: The Chairperson

1. Welcome by Chairperson: Chairperson Colin Kane.
2. To approve the minutes of the meeting held on May 13, 2013. (Tab 1.)
3. Review and Discussion Regarding Proposed Commission Work Plan and Schedule.
4. Approval of Request of Johnson & Wales to Use District Property for "Laydown" Area During Construction of New Facility.
5. Discussion of Fuss & O'Neill Scope of Work for Supplemental Engineering Services.
6. Approval of Dissolution of Duplicate District Corporate Entity.
7. Chairman's Report/Agenda for July 8, 2013 Meeting.
8. Vote to Adjourn.

# **TAB 1**

## **I-195 REDEVELOPMENT DISTRICT COMMISSION**

### **MEETING OF COMMISSION**

#### **PUBLIC SESSION**

**May 13, 2013**

The I-195 Redevelopment District Commission (the "District") met on Monday, May 13, 2013, in Public Session, beginning at 5 PM, at the offices of the Rhode Island Economic Development Corporation, located at 315 Iron Horse Way, Suite 101, Providence, Rhode Island, pursuant to 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.

The following Commissioners were present and participated throughout the meeting as indicated: Chairperson Colin Kane, Ms. Barbara Hunger, Ms. Diana Johnson, Mr. John Kelly, Mr. Mark Ryan, Dr. Barrett Bready and Mr. Ruben Flores-Marzan.

Mr. Michael Van Leesten and Mr. Bill Parsons were absent.

Also present were Mr. Michael Walker, as staff assigned by the Rhode Island Economic Development Corporation, 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 APRIL 8, 2013**

Chairperson Kane stated that minutes of the Public and Executive Sessions of the meetings of April 8, 2013 have 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 meetings held on April 8, 2013 as submitted.

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

Voting against the foregoing were: None.

#### **2. PERMITTING PROGRESS UPDATE FROM DISTRICT CIVIL ENGINEER**

Chairperson Kane introduced Mr. John Chambers of Fuss & O'Neill, engineers to the

District, to provide an update with respect to global permitting issues. Mr. Chambers made a slide presentation in which he discussed the following six topics in detail:

1. Brownfields grant status;
2. Budget status;
3. Environmental permitting;
4. Storm water management;
5. Park design; and
6. Next steps.

With respect to the Brownfields grant, Mr. Chambers said that the District's application had been reviewed, and that the District would not be receiving a grant. Mr. Chambers speculated that the fact that the District had not previously received a grant led to a deduction in points and was probably the reason the District's application was not approved. He noted that Rhode Island was the only New England state not to receive any grant money and said that he would do some further investigation as to why the application of the District was denied.

Mr. Chambers then reviewed the engineering budget. He noted that there have been some savings on particular items, but those savings were offset by additional pre-closing due diligence associated with analysis of the constitutional taking issues, and that overall the project engineering work is on budget.

With respect to environmental permitting and the Department of Environmental Management (the "DEM"), Mr. Chambers said that a site investigation report has been submitted to the DEM, and that he expects a decision to be rendered in July. He noted that most of the parcels will need to be capped while, in two or three cases, it may also be necessary to deal with vapor intrusion in connection with any new construction. Mr. Chambers said that by October, it is expected that there will be an agreement with the DEM pursuant to which development plans for particular parcels can be reviewed in a 30-day time period.

With respect to storm water approval through the Coastal Resources Management Council (the "CRMC"), Mr. Chambers noted that the District's application was submitted in December 2012, and he expects to obtain an Assent from the CRMC in August with the expectation that by December, an agreement will be in place with the CRMC pursuant to which it will review applications for particular projects within a 30-day period.

With respect to parking in the District, Mr. Chambers noted that it will not be possible to construct enough parking on site to accommodate contemplated development. He noted that parking is only feasible on seven parcels. Mr. Chambers suggested a workshop with the

Commissioners to discuss possible options and alternatives with respect to parking, and he noted that this is a major issue for development within the District and needs to be addressed.

With respect to next steps, Mr. Chambers noted that the following activities needed to be undertaken:

1. A transportation and planning workshop;
2. Park design oversight;
3. Online data management;
4. Continue the environmental and storm water permitting application process;  
and
5. Create a storm water implementation plan.

### **3. REAL ESTATE CLOSING AND BOND PLACEMENT REPORT FROM DISTRICT COUNSEL**

Chairperson Kane asked Mr. Rogers to provide an update regarding the acquisition of the I-195 real estate by the District. Mr. Rogers noted that the purchase and related bond transaction closed on April 18, 2013, and that the closing was in accordance with the resolution adopted by the Commission on April 8, 2013 as discussed at that meeting, and was otherwise uneventful. Mr. Rogers advised that it was noted in the closing process that there are six parcels where small portions of those parcels were owned by the State but outside of the legislative I-195 area or are in fact owned by the City of Providence. Mr. Rogers said that none of those areas are significant, and that he will be working with the State and the City to resolve those issues to insure that the District has title to all of the real estate comprising the parcels.

### **4. EXECUTIVE DIRECTOR LOGISTICS AND ACTIVITIES UPDATE**

Chairperson Kane noted that Mr. Walker has taken charge of making arrangements for Ms. Brodie's arrival, including providing an office and a portable phone number, and an internet address (@195district.com). Benefits will be in place for Ms. Brodie when she officially begins work on Monday, May 20, 2013. Chairperson Kane noted that Ms. Brodie has met with the Governor, the Mayor, the Senate Majority Leader and the President. He said that he is trying to schedule a meeting with Speaker Fox as well.

### **5. UPDATE REGARDING SCHEDULE FOR PRESENTATION BY PARTIES INTERESTED IN DISTRICT PARCELS**

Chairperson Kane noted that presentations by interested parties had taken a hiatus in recent meetings but that, in June, the Commission would begin to schedule presentations again. Chairperson Kane noted that Mr. Hecht, Mr. Mitrelis and Brown University had

previously expressed interest in meeting with the Commission. Mr. Kelly noted that it may be appropriate to schedule an additional meeting to accommodate those presentations. In response to a question about what should be included in formal proposals from interested parties, Ms. Brodie said that she would prepare a checklist of items that would typically be required, and will review those with the Commission.

## **6. DISCUSSION OF COMMISSION WORK PLAN AND GENERATION OF SCHEDULE**

Chairperson Kane said that at the next meeting of the Commission on June 10, 2013, he would like to discuss a work plan and schedule, and asked Ms. Brodie to prepare a list of items to be discussed at that time.

## **7. EXECUTIVE SESSION**

Chairperson Kane noted there were no employment issues to be discussed regarding the Executive Director and, accordingly, there was no need for an Executive Session.

## **8. CHAIRMAN'S REPORT/AGENDA FOR JUNE 10, 2013 MEETING**

Chairperson Kane noted the following:

1. The Commission needs to discuss telecom availability at a subsequent meeting so as to understand what will be available to the District;
2. With respect to maintenance, he noted that the District plans to award a maintenance contract this week, which will ensure the grass is cut and trash is picked up;
3. Chairperson Kane noted the "shadow parking" phenomenon and associated problems. There was a discussion whether to erect fences to prevent parking. It was noted that the District has a liability issue and, at the very least, needs to be sure that it has appropriate insurance coverage; and
4. Chairperson requested suggestions of names of firms that could provide communications services to the District.

Mr. Ryan said that he felt it was important that the District obtain office space in a building near the I-195 land, and all agreed. He also noted that, in addition to the permitting and other activities necessary to prepare the real estate for sale, the District also should be commencing marketing activities. Mr. Kelly also requested an update with respect to the status of the above-ground power lines and the status of the vault on Parcels 22 and 25.

Chairperson Kane noted that Contract 15 is likely to be awarded to D'Ambra Construction, which is the low bidder, and that work on Contract 15 will begin in 2013 and

continue into early 2015.

Finally, there was a discussion concerning requests that are being made by entities for interim use of parcels, particularly requests to cultivate those sites. It was noted that, because of the hazardous materials present at all sites, only raised beds can be used to grow anything.

Chairperson Kane noted that the next meeting of the Commission will be on June 10, 2013.

There being no further business in Public Session, upon motion duly made and seconded, the meeting was adjourned at 6:10 PM.

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Colin P. Kane  
Chairperson