



May 20, 2018

Dear Fellow East Siders:

I hope you are enjoying this year's Triple Crown, as Justify captured the second jewel last night. This week's letter discusses the settlement of the speed cameras lawsuit and the City Council's review of the Fane Tower project.

Around a month ago, a group of motorists brought a class action lawsuit challenging the City's program that uses automated cameras to enforce the speeding laws near schools. The program drew controversy due to complaints of inadequate advance notice, and the large amounts of the fines imposed. The lawsuit was based on claims that the City's program did not comply with state law establishing the program, particularly in such areas as the language included on the summons and the placement and design of the warning signs. On Thursday, the Claims Committee approved a joint settlement agreement the parties will now present to the Court. It identifies a single legal defect, namely language in the summons that appeared before a correction that took place on April 16. As a result, motorists who received tickets prior to that date will have the option of receiving a \$20 reduction in the ticket price (from \$95 to \$75) or the opportunity for a court hearing if they waived one previously. Also, the plaintiffs' attorneys will receive a \$75,000 fee, and the lead plaintiffs will receive additional compensation of \$500 each. The settlement agreement requires court approval, and will go through the class action settlement process (including notice to all members), but all are predicting the case will settle on these terms. Please note that all tickets issued on April 16 or later are not subject to the lawsuit and/or the terms of the settlement, and there is no pending legal challenge that would affect the obligations resulting from those tickets.

In the meantime, the General Assembly is reviewing legislation that would mitigate some of the harsher effects of the current program, making the first violation only a warning, and the second one a reduced fine of \$50, while reducing the hours of operation to match school usage. I introduced a resolution supporting these changes in State law, which is pending before the Finance Committee. I also introduced a resolution requesting installation of more signs indicating the 20 m.p.h. school zone to remind motorists at all schools in the City, regardless of whether a speeding camera is installed there.

On Tuesday night, the City Plan Commission voted to recommend disapproval of the zoning change requested by developer Jason Fane for a proposed skyscraper located on the I-195 property. The zone currently has a height limit of 100 feet, but the developer seeks to construct a 400-foot apartment building, presenting a modernistic design that has generated much discussion. The City Plan Commission's recommendation and the reasons for it will be considered by the City Council when it reviews the requested zoning change. This type of request is usually first heard by the Council's Ordinance Committee, which will schedule a public hearing to solicit comment. The date for this hearing has not yet been set, but the public will receive three weeks' notice, including advertisements in the Providence Journal. After the hearing, the Ordinance Committee will vote whether to recommend the proposed change to the full City Council, and the City Council will consider it, with two passages required for it to become valid.

Already, many of you have shared with me your thoughtful comments about the project, all of which I have read and which I will continue to read. I also plan to review the record before the City Plan Commission. Finally, I plan to request an opinion from the Law Department about the City Council's authority to modify the request. For example, if the City Council limited the zone change to a 3-foot increase (to 103 feet) rather than a 300-foot increase (to 400 feet), I suspect there would be little opposition, especially if the City Council could stipulate that the zoning change will be available if and only if the property owner is ineligible for tax stabilizations and/or other property tax relief. In short, I would prefer not to view this proposal as a binary "yes-no" proposition, but instead will be looking at alternatives that can address the concerns I have heard to date, while also advancing the calls for economic development that other constituents have urged me to support in their emails. In short, I will try to make good use of the intervening weeks to learn more about this project, listen to constituents and assess the best course for the City.

Sincerely,