

RESOLUTION OF THE CITY COUNCIL

No. 509

Approved August 7, 2012

WHEREAS, on June 11, 2012, the 2012 Charter Review Commission submitted its report and recommended amendments to the Providence Home Rule Charter to the City Council; and

WHEREAS, the City Council accepted the 2012 Charter Review Commission Report on June 21, 2012, and referred it to the Committee on Ordinances for consideration;

WHEREAS, the City Council Committee on Ordinances conducted a public hearing on July 26, 2012; and

WHEREAS, the City Council Committee on Ordinances considered various aspects of the 2012 Charter Review Commission Report and the recommendations therein, as well as additional proposed Charter amendments, and adopted certain of the recommendations and proposed amendments on July 26, 2012; and

WHEREAS, the various proposed amendments to the Providence Home Rule Charter adopted by the City Council Committee on Ordinances must be transmitted to the Rhode Island Secretary of State no later than August 8, 2012 in order to appear on the ballot for the General Election to be held in November 2012;

NOW, THEREFORE, IT IS RESOLVED, DECREED AND ORDERED:

That the following ballot questions, as adopted on _____, 2012, be submitted to the Rhode Island Secretary of State to appear on the November 2012 ballot:

Shall the terms used in the Charter be defined as follows for clarity and consistency? [Adds Section 107]

(a) "City" shall mean the City of Providence, in the County of Providence, and the State of Rhode Island.

(b) "Council" shall mean the duly elected city council of the City of Providence.

(c) "Domiciled" shall mean that place where a person has his or her true, fixed, and permanent home and principal establishment, and to which whenever he or she is absent has the intention of returning.

(d) Mayor. Whenever the word "mayor" is used, it shall mean the mayor of the City of Providence.

Actual publication in a "newspaper of general circulation" shall not be required.

(e) "Quorum" shall mean a majority of the members of a public body or duly appointed committee.

The amendment provides definitions to be applied to the language used throughout the charter, to ensure consistency in interpretation and application.

107. Definitions.

The terms used in this Charter shall have the following meaning:

(a) "City" shall mean the City of Providence, in the County of Providence, and the State of Rhode Island.

(b) "Council" shall mean the duly elected city council of the City of Providence.

(c) "Domiciled" shall mean that place where a person has his or her true, fixed, and permanent home and principal establishment, and to which whenever he or she is absent has the intention of returning.

(d) Mayor. Whenever the word "mayor" is used, it shall mean the mayor of the City of Providence.

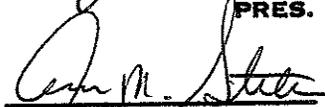
(e) "Quorum" shall mean a majority of the members of a public body or duly appointed committee.

IN CITY COUNCIL

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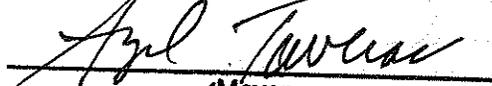
READ AND PASSED



PRES.


CLERK

I HEREBY APPROVE.



Mayor
Date: 8/7/12

OUTLINE OF COMMISSION'S RECOMMENDATIONS

The following is a summary outline of the amendments recommended by the Commission:

1. Adds a statement of intent of the city's government, including protecting the health, welfare, safety and financial well-being of the resident, and enables the elected officers to take such actions as they deem necessary for same. (Article I).
2. Allows the city to publicize electronically instead of in a newspaper, minimizing the expenditure of funds on costly publication. (Article I)
3. Recommends the inclusion of city councilors elected at-large and offers two options to accomplish this. (Article II).
4. Clarifies the procedures for acquisition and sale of city property, and enunciates the city's policy to promote minority and women's enterprise programs. (Article IV).
5. Codifies duties of the City Solicitor not currently provided for in the Charter, and permits the Solicitor to hire legal staff according to the needs of the Office. (Article VI).
6. Amends the budget and finance procedures to, among other things, establish a budget reserve fund and a method for financing that fund. Defines and qualifies the manner in which the funds may be used and must be reported. (Article VIII).
7. Renames the "Personnel Department" as the "Human Resources Department," amends some of the responsibilities of that office in accordance with current practice, and clarifies the procedure for suspending, disciplining, or discharging employees. (Article IX).
8. Adds the mayor and internal auditor as members of the Retirement Board. (Article IX).
9. Places the newly established Public Emergency Management Agency and Homeland Security Department ("PEMA") under the jurisdiction of the Commission of Public Safety. (Article X).
10. Changes the qualifications for the director of public property. (Article XI).
11. Establishes the Department of Arts, Culture and Tourism and Culture as a department defined by charter, while maintaining the same duties and responsibilities contained in its governing ordinance. (Article X).
12. Limits individuals from serving more than two consecutive terms as chair of a board, authority or commission, and prohibits the mayor, city council and department heads from influencing the hiring of a family member or business associate. (Article XII).
13. Affords future charter review commissions additional time to review and propose amendments to the charter. (Article XIII).