

City of Providence
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 365

EFFECTIVE July 2, 2018

WHEREAS, The Board of Licenses and the Licensing Office are vital arms of City government that play an important role in both encouraging economic growth and promoting public safety; and

WHEREAS, Since 2012, multiple independent reviews of the Board of Licenses and the Licensing Office have been conducted, including the Entertainment Licensing and Nightclub Safety Report, the Pine Report, and the BlumShapiro Performance Review resulting in many important recommendations for improving their operations, policies, and practices; and

WHEREAS, In response to the recommendations of these reports, the City Council has enacted new ordinances related to licensing, advocated for important changes to State law, and passed multiple resolutions calling for vital policy and operational reforms within the Board of Licenses and the Licensing Office; and

WHEREAS, Over the last year and a half, many of these recommendations have been fulfilled and many of the new legal obligations have been met, improving the quality of service, increasing efficiency, and modernizing many aspects of license operations; and

WHEREAS, The many advances include the adoption of a new Operations and Procedures Manual that is now available to the public online, improved recordkeeping utilizing the Open Meetings Portal and Viewpoint software, implementation of technology trainings for licensing staff, increased use of pre-hearing conferences, changes to the Board's schedule and hearing location to increase public access, and the establishment of a "consent calendar" so that routine and uncontroversial matters do not place an undue burden on the public, the Board, or licensing staff; and

WHEREAS, While these improvements are important and commendable, many outstanding issues remain and some vital recommendations are still yet to be implemented; and

WHEREAS, In the 2016 Pine Report, it was recommended that an Information Technology position be established within the Licensing Office and, in his 2018 annual report, the Chairman of the Board of Licenses referred to this position as "the greatest area of need for the Licensing Staff," and stated that "a full time technology expert dedicated solely to the Licensing Department would be an immense asset"; and

WHEREAS, However, when the Board of Licenses presented their FY2019 budget to the Finance Committee, no Information Technology position was included or requested; and

WHEREAS, In the July 2017 BlumShapiro Performance Review, it was recommended that license inspection procedures be formalized and improved to ensure the city is "completely covered and fairly inspected," yet, it is unclear if any changes have been made to inspection procedures and the FY2019 budget presented the Finance Committee proposed eliminating all but one inspector position; and

WHEREAS, Both the Pine Report and the BlumShapiro Performance Review called for more extensive training for Board members, both at the time of their appointments and throughout the course of their service, in order to ensure that Board members understand application processes, departmental functions, basic legal terms, and ethical obligations; and

WHEREAS, In response to these recommendations, in 2017 the City Council passed Sec. 14-355 of the Providence Code of Ordinances, which states that, "Any new member of the board of licenses shall be required to receive professional certified training on all relevant state statutes, city ordinances, and relevant rules and regulations, as well as ethics training and training on the board of licenses' operations and procedures manual prior to their first meeting as a member of the board"; and

WHEREAS, However, when the Board of Licenses presented their FY2019 budget to the Finance Committee, it was stated that the two most recently appointed members of the Board of Licenses had only received a "quick overview" from the License Administrator and the Legal Counsel to the Board prior to their respective first meetings and, as of this writing, neither has received ethics training; and

WHEREAS, The Entertainment Licensing and Nightclub Safety Report of 2012 called for the creation of a searchable database of historical records including "licensees, violations, dispositions of violations, et cetera": and

WHEREAS, Five years later, the BlumShapiro Performance Review found a "lack of readily available historical license/licensee information," and stated that "Board members are unable to obtain this information via a simple lookup, inquiry, and/or request of the Licensing staff"; and

WHEREAS, While Licensing staff has begun entering this information into searchable format through the City's Open Meeting Portal for each new meeting of the Board of Licenses, no historical information from meetings prior to this policy change has yet been input into this system; and

WHEREAS, After multiple reviews raised concerns about the Board of Licenses' compliance with the Open Meetings Act (OMA), the Board has implemented policies and trainings to aid in compliance, yet improvement is still needed as, on at least one occasion in recent months, an item was improperly posted on a Board of Licenses agenda in violation of OMA; and

WHEREAS, The Providence City Council has an obligation to ensure the proper management and operations of the all City agencies and departments, including the Board of Licenses and Licensing Office, and to promote open and transparent governance for the people of Providence.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence does hereby commend the Board of Licenses and the Licensing staff for their efforts to improve their operations, policies, and procedures.



BE IT FURTHER RESOLVED, That the City Council of the City of Providence does hereby request that the Board of Licenses and the Licensing Office fully implement the outstanding recommendations of the Entertainment Licensing and Nightclub Safety Report, the Pine Report, and the BlumShapiro Reviews and fully comply with all applicable laws within ninety (90) days.

BE IT FURTHER RESOLVED, That, upon passage, copies of this resolution be sent to the Mayor, the Chairman of the Board of Licenses, and the License Administrator.

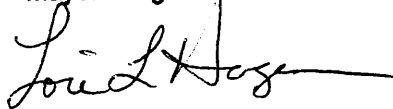
IN CITY COUNCIL

JUN 21 2018

READ AND PASSED


PRES.

CLERK

Effective without the
Mayor's Signature


Lori L. Hagen
City Clerk