

# RESOLUTION OF THE CITY COUNCIL

No. 515

*Approved* August 8, 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 committee on ward boundaries be elected in January of 2021 and every tenth year thereafter, and shall new requirements for revising ward boundary lines be established to include additional public hearings and opportunities for public comment, specifications for council approval of the plan, and criteria for drawing ward boundaries? [amends Section 204]*

*Shall the committee on ward boundaries be elected by the city council in January of 2021 and every tenth year thereafter, and shall new requirements for revising ward boundary lines be established to include additional public hearings and opportunities for public comment, specifications for council approval of the plan, and criteria for drawing ward boundaries?* [amends Section 204]

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The amendments would give the committee on ward boundaries an additional nine (9) months to review and revise ward boundaries every 10 years; change public comment and public notice requirements; change council voting requirements on revised ward maps; and add several new criteria for drawing ward boundaries.

**204. - Wards and ward boundaries.**

The city shall be divided into fifteen (15) wards, the boundaries of which shall be drawn pursuant to the provisions of this section.

(a) The city council shall, following each federal decennial census, enact an ordinance providing for the establishment of the boundary lines of the fifteen (15) wards of the city, said boundary lines to be established following the federal census of 1980, and to be revised as necessary to conform to the criteria set forth in subsection (b) of this section, following the federal census of 1990 and each census thereafter.

(b) The procedure for establishing or revising the ward boundary lines, as the case may be, shall be the following:

(1) At its first meeting in September, 1981, 1991, 2001 and 2011, and at its first meeting in ~~September~~ January each tenth year thereafter, the city council shall elect a committee on ward boundaries of five (5) members, who may be members of the city council or other qualified persons who are electors of, and are domiciled in, the city as defined in Section 206 below. Three (3) members are to be elected by the majority party, and two (2) members are to be elected by the members of the city council who are not members of that party. The committee shall draw up a plan for establishing or revising the ward subject to the following requirements:

(A) The committee will hold at least four (4) public meetings, during which public comment will be accepted, at various locations throughout the City of Providence before designating a map to submit to the city council for approval;

(B) The committee will provide public notice at least seventy-two (72) hours before holding its meeting to approve the final map that is submitted to the city council for approval. Public comment will be accepted at this meeting prior to the vote;

(C) The committee will submit with the final map a written report of findings and reasons for adoption which includes notation of all criteria employed in the process and a full analysis and explanation of decisions made by the committee;

(D) All committee meetings will comply with the Open Meetings Act.

(2) Upon receiving the plan, the city council shall hold at least one public hearing thereon, following the completion of which the city council shall adopt the plan as presented or with such amendments as it shall think proper. Final approval will require two separate votes by the city council, with the second vote taking place no sooner than seventy-two (72) hours after the first one. Final approval will require a vote of at least two-thirds (2/3) of all city council members attending the meeting at which the vote is taken.

(3) The procedure set forth in this subsection shall be completed no later than March 1, 1982, in the case of the committee appointed in September, 1981, 1991, 2001 and 2011 and ~~March~~ May first of each tenth year thereafter.

(c) The committee on ward boundaries and the city council shall insure that said boundaries are drawn in accordance with the following criteria:

(1) Equality of ward populations so far as practicable;

(2) Compactness and Contiguousness of the territory of each ward;

(3) ~~The use of natural boundaries, and the inclusion of recognized neighborhoods within wards without arbitrary division thereof, so far as practicable.~~ Wards shall comply with the federal Voting Rights Act (42 U.S.C. Sec. 1971 and following).

(4) The geographic integrity of any local neighborhood, or local community of interest, shall be respected in a manner that minimizes their division to the extent possible without violating the requirements of any of the preceding subdivisions. A community of interest is a contiguous population which shares common social and economic interests that should be included within a single ward for purposes of its effective and fair representation. Examples of such shared interests are those common to an urban area, an industrial area, and those common to areas in which the people share similar living standards, use the same transportation facilities, have similar work opportunities, or have access to the same media of communication relevant to the election process. Communities of interest shall not include relationships with political parties, incumbents, or political candidates.

(5) To the extent practicable, and where this does not conflict with the criteria above, wards shall be drawn to encourage geographical compactness such that nearby areas of population are not bypassed for more distant population.


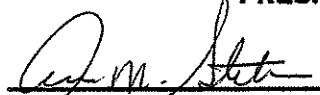
(6) The place of residence of any incumbent or political candidate shall not be considered in the creation of a map. Districts shall not be drawn for the purpose of favoring or discriminating against an incumbent, political candidate, or political party.

(d) If the Charter is revised to change the number of ward-based districts for an election to take place prior to the next decennial census, the city council will determine the new ward boundaries in compliance with the procedures and standards set forth above, except that the date for forming the ward boundaries committee will be January 1 of the year preceding the election, and the date for completing the ward boundary map will be May 1 of the year of the election.

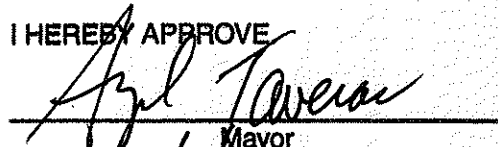
IN CITY COUNCIL

AUG 01 2012

READ AND PASSED

  
PRES.  
  
CLERK

I HEREBY APPROVE

  
Mayor  
Date: 8/8/12