

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 311

Approved May 9, 1984

RESOLVED, That the Members of the Providence City Council hereby urge the Rhode Island General Assembly to pass the following Legislation:

84 H-7455 - AN ACT RELATING TO THE PROVIDENCE CONVENTION AUTHORITY, which would make it clear that the Authority may use room tax revenues not channeled to the Greater Providence Convention and Visitors Bureau for its authorized expenditures in addition to promoting tourism and conventions in Providence. This authorization is necessary so that the Authority can retain advisors and consultants and conduct its business as mandated by the Act which created the Authority and also clarify the status of the members of the Authority and make a provision for determining a quorum;

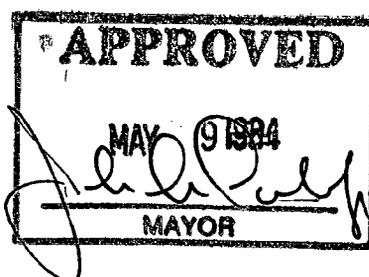
84 H-7914 - GENERAL AID, which would decrease the currently authorized statutory city and town share of income and sales tax to 1% of the receipts;

84 H-7932 - SCHOOL AID, which would increase the state's share for local education one percent (1%) per year over the next twelve (12) years to the point that the state and local share will each be fifty percent (50%);

84 H-9011 - BENEFIT ASSESSMENT DISTRICTS, which would allow cities and towns to establish special services and higher levels of services supported by a special assessment in the district where the service is provided.

IN CITY COUNCIL
MAY 2 1984
READ AND PASSED

[Signature]
Clerk



THE COMMITTEE ON

FINANCE

Approves Passage of
The Within Resolution

Thomas W. [unclear]
Chairman
April 30, 1984

READ AND FORWARDED
TO THE CHAIRMAN

1984

TILLINGHAST, COLLINS & GRAHAM

EDWIN H. HASTINGS
ALFRED B. STAPLETON
EUSTACE T. PLIAKAS
EDWARD J. REGAN
ROBERT J. MCGARRY
DEWITTE T. KERSH, JR.
PETER J. MCGINN
LOUISE DURFEE
ROBERT M. SCHACHT
JOHN J. PARTRIDGE
STANLEY A. BLEECKER
DAVID T. RIEDEL
ROBERT W. EDWARDS, JR.
PETER V. LACOUTURE
RICHARD A. SHERMAN
JAMES E. PURCELL
NORMAND G. BENOIT
CHRISTOPHER H. LITTLE
STEVEN E. SNOW
STEPHEN LICHATIN III
JAMES H. HAHN
CONSTANCE A. HOWES

COUNSELORS AT LAW
2000 HOSPITAL TRUST TOWER
PROVIDENCE, RHODE ISLAND 02903

(401) 456-1200

TELECOPIER
456-1210

TELEX
952166

*RICHARD H. GREGORY III
MARILYN SHANNON
JOHN M. BOEHNERT
BRIAN J. SPERO
JUDITH A. SULLIVAN
DAVID M. GILDEN
NANCY J. MAYER
DANIEL C. WAUGH
DOUGLAS A. GIRON
HENRY R. KATES
MARY E. KAY
PAUL M. SANFORD
RICHARD A. SINAPI

GEORGE C. DAVIS
THOMAS R. WICKERSHAM
WILLIAM M. SLOAN
R. GORDON SCOTT
BAYARD EWING
COUNSEL

*MEMBER VERMONT AND DISTRICT OF COLUMBIA BARS ONLY

April 16, 1984

Honorable Carolyn F. Brassil
Councilwoman
City Hall
Providence, Rhode Island 02903

Re: Convention Authority of the City of
Providence/H-7455

Dear Carolyn:

At the request of Arthur Robbins, we are enclosing a copy of H-7455, An Act Relating to the Providence Convention Authority. The bill was introduced at the Authority's request by Representative Freda and Representative Skeffington. We are also enclosing a copy of an explanation of the bill for your review.

Thank you for your assistance. Please let me know if you have any questions or concerns.

With kind regards,

Sincerely yours,



Stephen Lichatin III

SL/am
Enclosures

cc: Mr. Arthur S. Robbins

By Messenger

AN ACT
RELATED TO THE CONVENTION AUTHORITY
OF THE CITY OF PROVIDENCE

Introduced By:

Date Introduced:

Referred To:

It is enacted by the General Assembly as follows:

SECTION 1. Sections 8, 9 and 10 of Chapter 84 of the public laws, January Session, 1980, entitled "AN ACT Relating To Taxation on Rooms in any Hotel, Motel or Other Place in Which a Charge is Made for Transient Lodging in the City of Providence," are hereby amended to read as follows:

Sec. 8. -- There ~~shall be created a convention authority~~ is hereby authorized, created and established a public corporation to be known as the "Convention Authority" with such powers as are set forth in this act, and all room tax revenues collected by the City of Providence shall be remitted to the Authority within five (5) working days, less a reasonable sum (not to exceed 5% of the revenues collected) to offset the administrative expense of the City Tax Collector.

Sec. 9. -- The Authority shall be comprised of seven (7) equal members. The Holiday Inn, The Marriott Inn and

the Biltmore Plaza or their successors shall also be ~~a~~ members, in addition to the President of the Greater Providence Convention and Visitor's Bureau. The remaining members shall be appointed by the Mayor from a list of individuals recommended by the Greater Providence Convention and Visitors Bureau.

Those members appointed by the Mayor shall serve a three (3) year term except that in making the initial appointments the Mayor shall appoint one (1) member for a term of three (3) years, one (1) member for a term of two (2) years, and one (1) member for a term of one (1) year.

The members of the Convention Authority shall serve without compensation.

The Convention Authority shall meet ~~MONTHLY~~ not less than four (4) times per year at a time to be designated. Special meetings of the Authority may be called by the Chairperson upon the giving of five (5) days written notice to all members of the Authority.

Sec. 10. -- The Authority shall be required to fund the Greater Providence Convention and Visitors Bureau with one hundred (100) percent of all revenues received from the City of Providence until such funding to the Greater Providence Convention and Visitors Bureau aggregates one hundred fifty thousand dollars (\$150,000.00) per year.

Thereafter the Authority shall be required to fund the Bureau with a minimum of seventy-five (75) percent of all funds received from the City of Providence in excess of one hundred fifty thousand dollars (\$150,000.00) per year. All funds not channeled by the Convention Authority to the Greater Providence Convention and Visitors Bureau shall be used by the Convention Authority for its authorized expenditures and to promote conventions and tourism in the City of Providence.

SECTION 2. Chapter 84 of the public laws, January Session, 1980, entitled "AN ACT Relating To Taxation on Rooms in any Hotel, Motel or Other Place in Which a Charge is Made for Transient Lodging in the City of Providence," is hereby amended by adding thereto the following sections:

Sec. 13. -- Except to the extent inconsistent with any specific provision of this act, the Authority shall have power:

(a) To sue and be sued, complain and defend, in its corporate name.

(b) To have a seal which may be altered at pleasure and to use the same by causing it, or a facsimile thereof, to be impressed or affixed or in any other manner reproduced.

(c) To purchase, take, receive, lease, or otherwise acquire, own, hold, improve, use and otherwise deal in and with, real or personal property, or any interest therein, wherever situated.

(d) To make contracts.

(e) To conduct its activities, carry on its operations, and have offices and exercise the powers granted by this act, within or without the state.

(f) To elect or appoint officers and agents of the Authority, and define their duties and fix their compensation.

(g) To make and alter by-laws, not inconsistent with this act, for the administration and regulation of the affairs of the Authority, and such by-laws may contain provisions indemnifying any person who is or was a member, officer, employee or agent of the Authority, or is or was serving at the request of the Authority as a director, member, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, in the manner and to the extent provided in § 7-1.1-4.1 of the Rhode Island business corporation act.

(h) To have and exercise all powers necessary or convenient for the conduct of its business.

(i) To engage from time to time on a limited contract basis the services of consultants, including but not limited to, attorneys, accountants, financial experts and such other advisors, consultants and agents as may be necessary in its judgment, to render professional and technical assistance and advice to the Authority.

(j) To fix the compensation of consultants engaged in the manner described in subsection (i) above.

Sec. 14. -- No contract or transaction between the Authority and any other corporation, partnership, association or other organization in which one or more of its officers or members are directors or officers or have a financial interest shall be void or voidable nor shall such officer or member be liable with respect to such contract or transaction solely for this reason, or solely because the officer or member is present at or participates in the meeting which authorizes the contract or transaction, or solely because his or her vote is counted for such purpose, if:

(a) The material facts as to his or her interest or relationship and as to the contract or transaction are disclosed or are known to the members, and the members in good faith authorize the contract or transaction by a vote sufficient for such purpose without counting the vote of the interested member; or

(b) The contract or transaction is fair as to the Authority as of the time it is authorized, approved or ratified by the members.

Interested members may be counted in determining the presence of a quorum at a meeting of members which authorizes the contract or transaction.

SECTION 3. This act shall take effect upon passage.

EXPLANATION OF
AN ACT
RELATING TO THE
CONVENTION AUTHORITY
OF THE
CITY OF PROVIDENCE

This Act would change the number of mandatory meetings held per year by the Authority. It would also set forth the specific powers of the Authority as a public corporation and would clarify the status of members of the Authority.

This Act would take effect on passage.

POLICY STATEMENT

RE: AN ACT RELATING TO THE
CONVENTION AUTHORITY OF THE
CITY OF PROVIDENCE

This Act would amend Chapter 84 of the public laws, January session, 1980, which created the Convention Authority of the City of Providence.

The proposed amendment would change the number of mandatory meetings held per year by the Authority from twelve to four. It would also set forth the specific powers of the Authority as a public corporation, including:

1. The power to sue and be sued, complain and defend, in its corporate name;
2. To have a seal;
3. To make contracts;
4. To own, hold or use personal or real property;
5. To elect or appoint officers or agents and to define their duties;
6. To make and alter by-laws;
7. To have and exercise all powers necessary for the conduct of its business; and
8. To engage consultants from time to time on a limited contract basis, including attorneys, accountants, financial experts and such other advisors as may be necessary to render professional and technical advice to the Authority.

// The Act would also make it clear that the Authority may use room tax revenues not channeled to the Greater Providence Convention and Visitors Bureau for its authorized expenditures in addition to promoting tourism and conventions in Providence. This authorization is necessary so that the Authority can retain advisors and consultants and conduct its business as mandated by the Act which created the Authority.

The Act would also clarify the status of the members of the Authority and make a provision for determining a quorum. ((