

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 151

Approved March 9, 1984

RESOLVED, That the General Assembly is hereby requested to amend Chapter 489 of the Public Laws of 1923 entitled "An Act to Provide for the Retirement of the Employees of the City of Providence", as amended, to provide as follows:

1. Notwithstanding any other provisions of the laws governing the Employees' Retirement System of the City of Providence including, without limitation, any provision prohibiting the alienation or assignment of any interest in or benefit thereunder, in the event that any member of said System is determined by a court, through final conviction of a criminal offense against the laws of the State of Rhode Island, the United States of America or the City of Providence or through final decision in a civil lawsuit, to have misappropriated or converted to his or her own use or to otherwise have obtained property of the City of Providence, whether in cash or in kind, in violation of any law of the United States of America, the State of Rhode Island or the City of Providence, including, without limitation, of those acts described in Section 1206 (b) of the Providence Home Rule Charter or in the General Laws of Rhode Island, § 11-7-1 et seq., as amended, there shall be a lien in favor of the City of Providence effective as of the date of the occurrence of said misappropriation, conversion, loss and/or offense upon all right, title, interest, accounts, credits and benefits of any such member in said System and no distribution or withdrawal thereof shall be permitted for any reason by said member, his or her successors or assigns until said lien shall be satisfied or otherwise provided for.

2. In the event of any such final determination of a court, the City Solicitor shall immediately commence appropriate legal action to recover out of said member's account, benefits, rights, credits and interest in said System the amount of the

loss to the City of Providence and/or the amount misappropriated or converted by said member.

3. Said member's interest in said System's assets shall not be paid or loaned to said member, his or her successors or assigns but shall remain in said System until such time as a court of appropriate jurisdiction shall determine the amount of the City's loss as a result of the activities of said member and/or the amount misappropriated or converted by said member.

4. Upon a final determination by said court of the full amount of the City's loss and/or the full amount misappropriated or converted by said member, such amounts with interest thereon at the statutory rate since the date of said loss and/or misappropriation or conversion and any costs and expenses incurred by the City in collecting same shall be repaid by the Retirement Board or other proper officer or agent of said System to the General Fund of the City in full out of said member's account, benefits, rights, credits and interest in said System.

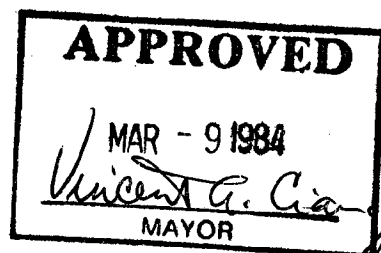
IN CITY COUNCIL

MAR 1 1984

READ AND PASSED

as amended

[Signature]
Clerk



Councilman Turner

THE COMMITTEE ON
FINANCE
Approves Passage of
The Within Resolution, as amended
Chas. M. McCallister
Chairman
February 21, 1974

READ AND PASSED
IN CITY COUNCIL
MAY 1 1974

CLOCK

LORD

APPROVED
MAY 1 1974

RECEIVED
MAY 17 11 28 AM '74
SEAL OF CITY CLERK
PROVIDENCE, R.I.

FRANK E. CORRENTE
Controller/Officer in Charge

ROSE M. MENDONCA
City Clerk/Clerk

CAROLYN F. BRASSIL
City Councilwoman

DOLORES E. SPRATT
Office Supervisor



MAYOR VINCENT A. CIANCI, JR.
CHAIRMAN

RETIREMENT BOARD

February 28, 1984

THOMAS J. GRAVES
ENRICO J. LANDI
EDMOND F. MARNANE
ANN T. McCRINK
ALFRED MENDILLO
JOHN J. POWER, JR.
JAMES R. QUATTROCCHI
JACK WILKES

TO: Council President Paolino and Members of the City Council

SUBJECT: RESOLUTION REQUESTING THE GENERAL ASSEMBLY TO AMEND CHAPTER 489 OF THE PUBLIC LAWS OF 1923.

CONSIDERED BY: Vice-Chairman Quattrocchi and Members of the Retirement Board

DISPOSITION: VOTED: To notify the City Council that the Retirement Board is opposed to the following Resolution to be presented to the City Council March 1, 1984, by the Committee on Finance, there being other legal recourse through the Courts and that passage of this Resolution might create hardships and inequities;

Resolution Requesting the General Assembly to Amend Chapter 489 of the Public Laws of 1923, entitled: "An Act to Provide for the Retirement of the Employees of the City of Providence" as Amended.

This motion is so moved by Mr. Power, seconded by Mr. Landi and Mr. Graves.

AYES: Mr. Power, Mr. Landi, Mr. Graves, Mr. Mendillo and Mrs. McCrink - 5.

NOT VOTING: Mr. Wilkes, Vice-Chairman Quattrocchi and Mr. Corrente - 3.

ABSENT: Mayor Cianci, Chairman, Councilwoman Brassil and Mr. Marnane - 3.

CITY OF PROVIDENCE, RHODE ISLAND . MAYOR VINCENT A. CIANCI, JR.

Rose M. Mendonca
City Clerk

—
Clerk of Council

—
Clerk of Committees



Michael R. Clement
First Deputy

—
Grace Nobrega
Second Deputy

DEPARTMENT OF CITY CLERK
CITY HALL

March 19, 1984

Majority Leader John C. Revens, Jr.

Minority Leader Lila M. Sapinsley

Majority Leader Joseph DeAngelis

Minority Leader Bradford Gorham

Enclosed is certified copy of Resolution No. 151,
approved March 9, 1984, having been sponsored by Council-
man Malcolm Farmer, III, which is self-explanatory.

Very truly yours,

Rose M. Mendonca,
City Clerk.

RMM/jma
Enclosure