

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No.

Approved

RESOLVED, That the City Council hereby retains R. Kelly Sheridan,
under the provisions of the Providence Home Rule Charter of 1980, As Amended,
Section 410(d), relative to the removal of the Ten Commandments Monument, in a
total amount not to exceed \$20,000.00.

IN CITY COUNCIL
JUL 21 2005

READ:

LAY ON TABLE UNTIL AUG 4, 2005

Cair, Best, Clerk

Council President Lombardi, Councilmen Porter, Butler, DeLuca, Councilmen Nassott, Saggi, Councilwoman Roman



Executive Office, City of Providence, Rhode Island

DAVID N. CICILLINE
MAYOR

August 4, 2005

Claire Bestwick
Acting City Clerk
Providence City Hall
25 Dorrance Street
Providence, Rhode Island 02903

Dear Ms. Bestwick:

I am responding to your correspondence to the Mayor's office requesting information about placing the monument belonging to the West Warwick chapter of the Fraternal Order of the Eagles in our public parks should a proposal to do so be forthcoming.

Should the Eagle's seek to relocate the monument to a Providence park, the Board of Parks Commissioners standard practice for handling these types of requests would apply. Proposals are first submitted to the Superintendent of Parks, who reviews the monument's purpose and suitability for a public space. Later, it is presented to the Board of Parks Commissioners for consideration along with a recommendation from Parks staff. The proposing party is also asked to offer financial information documenting that funds are available to construct or place the monument in a park and to keep it adequately maintained.

Please let me know if I may be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Christopher Bizzacco".

Christopher Bizzacco
Deputy Chief of Staff
Office of Mayor David N. Cicilline

cc: Honorable Members, Providence City Council
Board of Parks Commissioners

Anna Stetson

To: Sherri Petronio**Subject:** resolutions

Resolved, that the City Council hereby retains R. Kelly Sheridan,, under the provisions of the Providence Home Rule Charter of 1980, as Amended, Section 401(d), relative to the removal of the Ten Commandments Monument, in a total amount not to exceed \$20,000.00.

Resolved, that the City Council hereby authorizes the hiring of an attorney, under the provisions of the Providence Home Rule Charter of 1980, as Amended, Section 401(d), relative to the review of the proposed amendments to the City of Providence Zoning Ordinance, in a total amount not to exceed \$75,000.00.

Resolved, that the City Council hereby authorizes the hiring of a Planning Consultant for the review of the proposed amendments to the City of Providence Zoning Ordinance, in a total amount not to exceed \$75,000.00.

Anna M. Stetson
Second Deputy City Clerk
Providence City Hall
401-421-7740 x 568





Department of Law

August 11, 2005

The Hon. John Lombardi
Council President
Providence City Council
25 Dorrance Street
Providence, RI 02903

Ms. Claire E. Bestwick
Acting City Clerk
City Clerk's Office
25 Dorrance Street
Providence, RI 02903

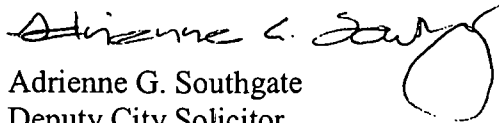
Re: Resolution regarding Ten Commandments at City Council
on August 4, 2005 (#8)

Dear President Lombardi and Ms. Bestwick:

During the City Council meeting on August 4, 2005, a vote was taken on a Resolution regarding the hiring of R. Kelly Sheridan, Esq. with regard to the Ten Commandments monument, for a sum not to exceed \$20,000.00. The vote was 8-4 and the President announced that the Resolution passed. The Resolution has now been annotated "Passed" with both your signatures on it.

At the meeting, I considered that the vote represented a two-thirds majority of those present, which is accurate. However, on reviewing the City Charter, I realize that Section 401(d) requires a two-thirds vote *of the entire City Council* "to retain and to fix the salaries of those consultants it deems necessary for the exercise of its functions," specifically including legal counsel. The Resolution therefore did not pass, and accordingly, the annotation of passage should be removed from the official copy, and the Journal of the City Council should be corrected to reflect that the "ayes" fell two votes short of achieving the necessary "super-majority."

Very truly yours,


Adrienne G. Southgate
Deputy City Solicitor

cc: R. Kelly Sheridan, Esq.