

RESOLUTION OF THE CITY COUNCIL

No. 402

Approved September 11, 1992

WHEREAS, in order to clarify certain provisions of the Providence Home Rule Charter of 1980 and in order to more efficaciously administer the City, the following amendment to the Providence Home Rule Charter of 1980 shall be incorporated into said document; and

WHEREAS, the Providence Home Rule Charter of 1980 originally contained a requirement of residency for new municipal employees; and

WHEREAS, at the general election of November, 1990, certain broad exemptions to the residency requirements were enacted; and

WHEREAS, it is believed that a general requirement of residency is in the best interests of the City; and

WHEREAS, it is sought to re-establish residency requirements along the lines of those first contained in the Providence Home Rule Charter of 1980,

NOW, THEREFORE, BE IT RESOLVED:

That Section 1210 of the Providence Home Rule Charter of 1980 as amended be and is repealed in its entirety, and

That in its stead, the following additions and amendments be made to the Providence Home Rule Charter of 1980:

"Section 1210. RESIDENCE REQUIREMENT; EXEMPTIONS.

All officers of the city as defined in section 1207, and all employees of the city and of any and all agencies and instrumentalities thereof, including all employees of the school department and the department of public safety, shall be residents of the city during such employment; provided, however, that any person employed by the city on the date upon which this provision takes effect shall not be subject to the foregoing provision. Persons not residents of the city may be appointed or engaged for employment on the condition that within six (6) months of such appointment or engagement they shall become residents of the city. Residence shall be defined for purposes of this section as being domiciled in the City of Providence according to the definition of domicile set forth in section 206. Any officer or employee of the city who, during employment, ceases to be a resident shall forfeit his or her position in the employ of the city. It shall be the duty of the Director of Personnel to monitor this residency requirement on a timely basis and report any violations to the Mayor and City Council for appropriate action. Upon certification by the Mayor that after diligent search no person with proper qualifications can be found to fill a particular position among residents of the city, the City Council may exempt a nonresident employee from the provisions of this section.

and

**THE COMMITTEE ON
ORDINANCES**

**Approves Passage of
The Within Resolution**

Chairman

Clark

8/19/92

Section 903. DIRECTOR OF PERSONNEL; DUTIES AND POWERS

...

(p) It shall be the duty of the Director of Personnel to monitor on a timely basis the residency requirements set forth in Section 1210 of this charter and report any violations to the Mayor and city council for appropriate action."

That the question of the proposed amendment be submitted to the electors of the City of Providence at the next general election to be called on November 3, 1992 in substantially the following form:

"Shall the Charter be amended to require that all new City employees reside in the City of Providence?"
(amendments to Sections 1210 and 903 of the Providence Home Rule Charter of 1980)

That the City Clerk forward certified copies of this resolution to the Secretary of State, with a notice that the above question be placed on the ballot and be submitted to said electors at the November 3, 1992 general election, pursuant to the provisions of Sec. 8 of Article XIII of the Constitution of the State of Rhode Island. The City Clerk shall also forward a certified copy of this resolution to the board of canvassers of the City of Providence and to the board of elections of the State of Rhode Island.

Subject to the approval of this proposed amendment by the electors of the City of Providence at the aforesaid election, the effective date of such amendment shall be January 1, 1993.

IN CITY COUNCIL
SEP 3 1992
READ AND PASSED
James H. Petrucci
PRES.
Michael R. Clement
CLERK

APPROVED
SEP 11 1992
Vincent A. Cravens
MAYOR

Michael R. Clement
City Clerk

Clerk of Council



Jean M. Angelone
First Deputy

Barbara A. Poirier
Second Deputy

DEPARTMENT OF CITY CLERK
CITY HALL

September 14, 1992

Honorable Kathleen S. Connell
Secretary of State
219 State House
Providence, Rhode Island 02903

Received of Jean M. Angelone, First Deputy City Clerk of Providence, Rhode Island, duly certified copies of the following Resolutions of the City Council, approved September 11, 1992 with questions to be submitted to the electors of the City of Providence at the next general election to be called on November 3, 1992 as follows:

No. 402 "SHALL THE CHARTER BE AMENDED TO REQUIRE THAT ALL NEW CITY EMPLOYEES RESIDE IN THE CITY OF PROVIDENCE?"

No. 403 "SHALL THE CHARTER BE AMENDED SO AS TO:

- (1) REQUIRE THAT THE POWER AND DUTIES OF THE RETIREMENT BOARD BE ESTABLISHED BY CITY ORDINANCE AND THAT RETIREMENT FUNDS BE INVESTED IN 'MARKETABLE' SECURITIES UNLESS AUTHORIZED BY A TWO-THIRDS (2/3) VOTE OF THE CITY COUNCIL;
- (2) ADD AS RETIREMENT BOARD MEMBERS THE CITY TREASURER AND ANOTHER MEMBER ELECTED BY THE CITY COUNCIL, IN ADDITION TO THE CURRENT MEMBERS WHICH INCLUDE THE MAYOR; THE CHAIRPERSON OF THE CITY COUNCIL COMMITTEE ON BUDGETARY MATTERS; THE CITY CONTROLLER; TWO (2) MEMBERS ELECTED BY THE CITY COUNCIL, WHO SHALL NOT BE OFFICERS OR EMPLOYEES OF THE CITY; FOUR (4) MEMBERS REPRESENTING ACTIVE CITY EMPLOYEES AND TWO (2) MEMBERS REPRESENTING RETIRED EMPLOYEES.

(3) DESIGNATE THE MAYOR AS THE CHAIRPERSON OF THE RETIREMENT BOARD?"

NO. 404 "SHALL THE CHARTER BE AMENDED TO REQUIRE THE SALE OF CITY PROPERTY TO THE "HIGHEST QUALIFIED BIDDER" RATHER THAN THE "HIGHEST BIDDER" AND TO EXEMPT FROM THE COMPETITIVE BID PROCESS AND THE MINIMUM PURCHASE PRICE REQUIREMENT THE SALE OF CITY PROPERTY TO THE PROVIDENCE REDEVELOPMENT AGENCY AND THE PROVIDENCE PLAN HOUSING CORPORATION?"


Signature

Michael R. Clement
City Clerk

Clerk of Council



Jean M. Angelone
First Deputy

Barbara A. Poirier
Second Deputy

**DEPARTMENT OF CITY CLERK
CITY HALL**

September 14, 1992

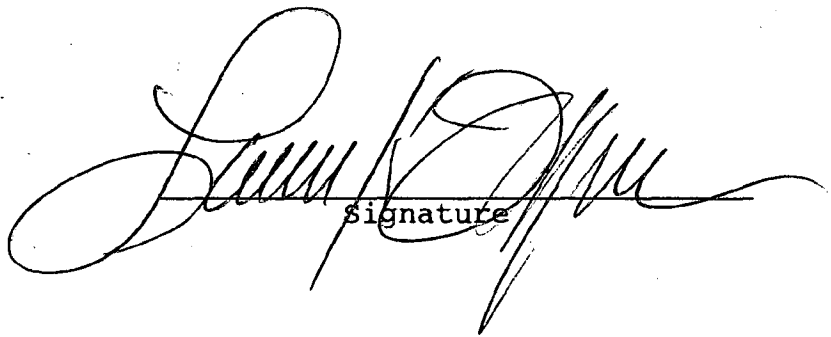
Laurence K. Flynn, Executive Secretary
Board of Canvassers
City Hall
Providence, Rhode Island 02903

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Signature

Michael R. Clement
City Clerk

Clerk of Council



Jean M. Angelone
First Deputy

Barbara A. Poirier
Second Deputy

DEPARTMENT OF CITY CLERK
CITY HALL

September 14, 1992

Mr. Joseph R. DiStefano, Chairman
Rhode Island State Board of Elections
50 Branch Avenue
Providence, Rhode Island 02904

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Signature