

RESOLUTION OF THE CITY COUNCIL

No. 393

Approved June 9, 1993

RESOLVED, that the City Council endorses and urges passage by the General Assembly of House Bill 93-H 6172 relating to the city of Providence - Center City Providence District, provided however that the legislation is amended to include two (2) members to be appointed by the Council President and two (2) members to be appointed by the Chamber of Commerce Committee on Corporations.

IN CITY COUNCIL
JUN 3 1993
READ AND PASSED
James Petrucci
PRES.
Michael R. Clement
CLERK

APPROVED
JUN 9 1993
Robert A. Cravei
MAYOR

IN CITY COUNCIL
MAR 18 1993
FIRST READING
REFERRED TO COMMITTEE ON
FINANCE

Michael R. Chant CLERK

THE COMMITTEE ON
FINANCE

Recommends *Be continued*

Clare Brock Stewart
MAY 13 1993 Clerk

THE COMMITTEE ON
FINANCE

Approves Passage of
The Within Resolution

as amended
Clare Brock Stewart
MAY 18 1993 Chairman

Council President Petrosinelli by Request

1 economic climate of the district and, therefore, the city as a whole.

2 45-52.2-2. District plan. -- The city of Providence may create
3 business management district(s) by a business organization recognized
4 by the Providence Department of Planning and Development after the
5 submission of business management district plan(s) to the city council
6 for adoption as an ordinance. The plan shall specify:

7 (1) the boundaries of the district(s);

8 (2) the functions, which are hereby authorized and may be per-
9 formed by the authority shall include but not be limited to, providing
10 the following: security; maintenance; repair and replacement; market-
11 ing; retail management; organizing retailers and property owners;
12 events and activity programming; coordinating vending and public
13 markets; leasing information and assistance; information and promotion
14 services; and, other services necessary to carry out the purpose of
15 this district; and

16 (3) the limit of the special tax assessment which may be charged
17 in the district, but in no case shall the special tax assessment
18 exceed ten (10) percent of the tax rate of the preceding fiscal year;

19 (4) the mechanism to provide for the imposition and collection of
20 the special tax assessment and for disbursement of the revenue there-
21 from to the authority.

22 45-52.2-3. Business management district authority. -- There is
23 hereby created the business management district authority which shall
24 administer the district. The authority shall consist of nine (9) mem-
25 bers. All members of the authority shall be property owners, tenants,
26 residents or business managers within the district. Three (3) members
27 shall be appointed by the mayor, two (2) of whom shall be property
28 owners; three (3) shall be appointed by a business organization recog-
29 nized by the Providence Department of Planning and Development, two
30 (2) of whom shall be property owners; and three (3) shall be appointed
31 by the six (6) members appointed by the mayor and the recognized busi-
32 ness organization, one (1) of whom shall be a property owner. The
33 first appointments made by each appointing authority shall be made so

1 that the term of one (1) member expires after one (1) year, one (1)
2 member after two (2) years and one (1) member after three (3) years.
3 The chairman of the city council committee on finance shall serve on
4 the authority as a non voting ex officio member.

5 45-52.2-4. Power of the authority. -- As provided by ordinance
6 the authority shall:

7 (1) adopt, amend and modify bylaws;

8 (2) establish offices and elect officers and provide for their
9 terms and duties;

10 (3) prepare an annual budget and the amount of the special tax
11 assessment on properties within the district; and

12 (4) conduct the functions which are assigned to it by the plan.

13 In addition, the authority shall have the power:

14 (1) to contract with not for profit entity(ies) to carry out the
15 responsibilities of the business management district;

16 (2) to negotiate for contributions from tax exempt properties in
17 the district;

18 (3) to acquire, hold and use personal and real property necessary
19 to achieve its purpose;

20 (4) to make contracts;

21 (5) to sue and be sued;

22 (6) to apply for and accept grants; to accept fees, donations and
23 other funds;

24 (7) to borrow, when authorized by the city council, for purposes
25 consistent with the public purposes of the authority;

26 (8) to hire staff;

27 (9) to contract for the purchase of goods and services, not sub-
28 ject to the city requirements regarding wage scales, competitive bid-
29 ding or other local procurement laws; however, the authority shall be
30 subject to city ordinances and city policy regarding equal oppor-
31 tunity, minority and women's business enterprises; and

32 (10) to do all things necessary and convenient to legally carry
33 out its powers and duties.

1 45-52.2-5. Limitations of the authority. -- The authority shall
2 not be permitted to:

3 (1) exercise any police or general powers other than those
4 authorized by state law and city ordinance;

5 (2) pledge the full faith or credit of the city; nor

6 (3) exercise the power of eminent domain.

7 45-52.2-6. Budget approval and collection of funds. -- Each year
8 the authority shall prepare a financial plan which shall include a
9 work program, budget and proposed special tax assessment if necessary.
10 The financial plan shall be submitted to the city council for adoption
11 as an ordinance. The city council may amend the financial plan but in
12 no case shall the council adopt a special tax assessment that is
13 greater than that proposed by the authority.

14 Any fees, charges, grants, donations, taxes collected or interest
15 earned on same pursuant to this section shall be used only for the
16 purposes authorized under this section and may not revert to the gen-
17 eral fund of the city. Any fees, charges, grants, donations or taxes
18 collected by the city or other moneys received for the benefit of the
19 district shall be placed in a segregated account in the city treasury
20 and any interest earned on same shall accrue for the use and purposes
21 of the authority. Disbursements shall be made to the authority.

22 45-52.2-7. Adoption of plan. -- Notice of hearing:

23 (a) After the filing of an ordinance for the adoption of the plan
24 in the office of the city clerk, the city council shall hold a public
25 hearing on the plan. Notice of such hearing shall be given by publi-
26 cation in a newspaper of general circulation within the city at least
27 once a week for three (3) successive weeks prior to the date of the
28 hearing. Such notice shall contain a statement of the purpose of the
29 proposed business management districts and its boundaries, where a
30 copy of the plan may be reviewed a statement that opportunity will be
31 given to all interested parties to be heard, and the date, time and
32 place of the public hearing.

33 (b) Amendment of the boundaries or the inclusion of any addition-

1 al powers of any approved plan shall require a public hearing in ac-
2 cordance with (a) above.

3 45-52.2-8. Exemption from taxation. -- The exercise of the
4 powers granted by this act will be in all respects for the benefit of
5 the people of the city of Providence, the increase of their commerce,
6 welfare and prosperity and will constitute the performance of an
7 essential governmental function and, therefore, the authority will not
8 be required to pay any state or municipal taxes or assessments. The
9 bonds and notes issued under this chapter, their transfer and the
10 income therefrom including any profit made on the sale thereof, shall
11 be at all times free from taxation within the state.

12 45-52.2-9. Dissolution. -- (a) Any district established or
13 extended pursuant to the provisions of this chapter, where there is no
14 indebtedness, outstanding and unpaid, incurred to accomplish any of
15 the purposes of the district, may be dissolved by order of the city
16 council upon its own motion or upon the written petition of the mayor
17 and after compliance with all of the applicable provisions of this
18 chapter relating to the establishment or extension of a district. In
19 the event of dissolution, all assets of the district shall revert to
20 the city.

21 SECTION 2. This act shall take effect upon passage.

PD446

93-H 6172 EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

AN ACT

RELATING TO THE CITY OF PROVIDENCE --
CENTER CITY PROVIDENCE DISTRICT

- 1 This act would permit the city of Providence to create busi-
2 ness movement districts so as to develop, manage, promote and
3 improve the economic climate within its boundaries. The dis-
4 trict(s) would be operated by an authority.
5 This act would take effect upon passage.

PD446
