

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 513

***Approved* August 7, 2012**

WHEREAS, on June 11, 2012, the 2012 Charter Review Commission submitted its report and recommended amendments to the Providence Home Rule Charter to the City Council; and

WHEREAS, the City Council accepted the 2012 Charter Review Commission Report on June 21, 2012, and referred it to the Committee on Ordinances for consideration;

WHEREAS, the City Council Committee on Ordinances conducted a public hearing on July 26, 2012; and

WHEREAS, the City Council Committee on Ordinances considered various aspects of the 2012 Charter Review Commission Report and the recommendations therein, as well as additional proposed Charter amendments, and adopted certain of the recommendations and proposed amendments on July 26, 2012; and

WHEREAS, the various proposed amendments to the Providence Home Rule Charter adopted by the City Council Committee on Ordinances must be transmitted to the Rhode Island Secretary of State no later than August 8, 2012 in order to appear on the ballot for the General Election to be held in November 2012;

NOW, THEREFORE, IT IS RESOLVED, DECREED AND ORDERED:

That the following ballot questions, as adopted on _____, 2012, be submitted to the Rhode Island Secretary of State to appear on the November 2012 ballot:

Shall the Providence Emergency Management Agency and Homeland Protection Department be placed under the jurisdiction of the Department of Public Safety, under the supervision of the Commissioner of Public Safety? [Amends Section 1001]

Shall the Providence Emergency Management Agency and Homeland Protection Department be placed under the jurisdiction of the Department of Public Safety, under the supervision of the Commissioner of Public Safety? [Amends Section 1001]

The amendment places Providence Emergency Management Agency and Department of Homeland Security ("PEMA") under the Department of Public Safety. The PEMA director and the members of the PEMA council will work under the supervision of, and report to the Commissioner of Public Safety, but remain mayoral appointees.

1001. Department of public safety.

There shall be a department of public safety, the head of which shall be the commissioner of public safety, hereinafter referred to as the commissioner, who shall be a person holding at least a bachelor's degree from an accredited college or university and a minimum of five (5) years' supervisory experience in administration or community relations or the equivalent in training and supervisory experience. The department of public safety shall include a police department, a fire department, ~~and a department of communications, and an emergency management agency and homeland protection department.~~ In addition to the requirement in section 1201, subsection (e), the commissioner shall make such reports to the mayor and city council as they may request. In the event of a vacancy in the office of commissioner, the mayor shall act as commissioner of public safety until a commissioner has been appointed and approved by the city council.

...

Adds new subsection:

(d) *Emergency Management Agency and Department of Homeland Security.* The head of the department of the emergency management agency and department of homeland security shall be a director, who is appointed by and serves at the pleasure of the mayor. The director shall appoint, with the approval of the mayor, such deputy directors of divisions and the chiefs of services of such divisions as may be provided for by ordinance of the city council. The director shall serve as the chief executive officer of the agency and department, subject to the direction and supervision of the commissioner of public safety. The director shall be charged with all phases of comprehensive emergency management and homeland security, as provided for by state law and ordinance.


IN CITY COUNCIL

AUG 01 2012


READ AND PASSED



PRES.


CLERK

I HEREBY APPROVE.


Mayor

Date: 8/7/12

OUTLINE OF COMMISSION'S RECOMMENDATIONS

The following is a summary outline of the amendments recommended by the Commission:

1. Adds a statement of intent of the city's government, including protecting the health, welfare, safety and financial well-being of the resident, and enables the elected officers to take such actions as they deem necessary for same. (Article I).
2. Allows the city to publicize electronically instead of in a newspaper, minimizing the expenditure of funds on costly publication. (Article I)
3. Recommends the inclusion of city councilors elected at-large and offers two options to accomplish this. (Article II).
4. Clarifies the procedures for acquisition and sale of city property, and enunciates the city's policy to promote minority and women's enterprise programs. (Article IV).
5. Codifies duties of the City Solicitor not currently provided for in the Charter, and permits the Solicitor to hire legal staff according to the needs of the Office. (Article VI).
6. Amends the budget and finance procedures to, among other things, establish a budget reserve fund and a method for financing that fund. Defines and qualifies the manner in which the funds may be used and must be reported. (Article VIII).
7. Renames the "Personnel Department" as the "Human Resources Department," amends some of the responsibilities of that office in accordance with current practice, and clarifies the procedure for suspending, disciplining, or discharging employees. (Article IX).
8. Adds the mayor and internal auditor as members of the Retirement Board. (Article IX).
9. Places the newly established Public Emergency Management Agency and Homeland Security Department ("PEMA") under the jurisdiction of the Commission of Public Safety. (Article X).
10. Changes the qualifications for the director of public property. (Article XI).
11. Establishes the Department of Arts, Culture and Tourism and Culture as a department defined by charter, while maintaining the same duties and responsibilities contained in its governing ordinance. (Article X).
12. Limits individuals from serving more than two consecutive terms as chair of a board, authority or commission, and prohibits the mayor, city council and department heads from influencing the hiring of a family member or business associate. (Article XII).
13. Affords future charter review commissions additional time to review and propose amendments to the charter. (Article XIII).