



CITY OF PROVIDENCE

Angel Taveras, Mayor

June 10, 2011

Members of the Providence City Council
City Council Office
City Hall
Providence, RI 02903

Re: Implementation of Lobbyists Registration Ordinance

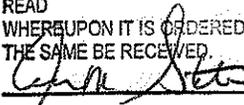
Dear Council Member:

Since the March passage of Chapter 2011-11, No. 200, the Law Department has been working with the City Clerk and the Information Technology Division on implementation issues. There were also a number of issues raised following the passage of the ordinance, some of which were addressed in a series of committee meetings prior to the formal amendment of the ordinance in May.

I write now to bring to your attention the fact that the business process and technical implementation hurdles have not been surmounted, and to request your assistance in working through them. Doing so will require the postponement of the ordinance's effective date and may also require further amendments to the text.

There are three major issues. The first involves creation of on-line forms by which lobbyists could register. The City Clerk and the Webmaster have worked together to create some of the necessary forms, but since the ordinance requires attestation before a Notary Public, it is not possible to fully implement on-line registration. We believe that a viable alternative would be to include a check-off box by which a registrant would certify that the information provided was accurate, but this would require Council action to amend the ordinance.

IN CITY COUNCIL
JUN 16 2011

READ
WHEREUPON IT IS ORDERED THAT
THE SAME BE RECEIVED

CLERK

LAW DEPARTMENT

275 Westminster Street, 2nd Floor, Providence, Rhode Island 02903

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The second issue involves on-line payment. Currently, those departments of city government which accept on-line payment (Tax Collector, Municipal Court, etc.) have individual contracts with vendors. I am aware of at least three such contracts. Obviously, the City would save money if all such payment processing were provided by a single vendor, and perhaps this is something that the Council and Administration could jointly address going forward. But in the meantime, putting into place a mechanism for on-line collection would require the City Clerk to go out to bid, and then submission and approval by the Board of Contract & Supply. As we have not even developed an RFP for this purpose, my best estimate is that it will take up to four months for us to get a vendor in place to process on-line payments.

Even if neither of these issues existed, the third issue would defeat the immediate implementation of the ordinance. Lobbyists are required to wear plastic or laminated badges with their photograph, name, and calendar year. The City Clerk does not possess the equipment necessary to capture the lobbyist's photograph and then create such badges. Low-end products are available for less than \$5,000.00 (the jurisdictional limit for the Board of Contract & Supply), but there is no money in the FY2011 budget to acquire such equipment.

The City of Providence recently hired a permanent Chief Information Officer to manage the Information Technology Division, and oversee the development of this system. Upon review of the ordinance as written, he raised several process-related issues in addition to those stated above. IT has offered to assist in documenting and clarifying the steps involved in the registration process to ensure the final solution meets the Council's goals.

While not a bar to immediate implementation, some thought should be given to the impact of these registrations on the duties of the City Clerk. Assuming we can surmount the challenges surrounding on-line registration and payment and the creation of badges, the Clerk's Office will still be required to handle the data (and likely, to take the photographs, create the badges, and probably administer a back-up system for those who cannot or will not use the on-line registration option). For those members of the staff who are in the bargaining unit, outreach to the union will be mandatory.

We have given some thought to whether the lobbyist registration process could be dealt with more easily by another department, perhaps one which already has in place a vendor which can handle on-line payments. However, the possible candidates for this role are all within the realm of the Administration, and as yet we have not felt it appropriate to discuss this matter with anyone there.

I'd like to emphasize that there remain a series of issues which were raised in the committee meetings and which have yet to be addressed in a final version of the ordinance. Given the need to revisit the text for substantive reasons, it makes sense for the Council as a whole to be made aware of the ancillary implementation problems so that a more reasonably effective date could be included in the next iteration. As things stand now, despite the official July 1, 2011 effective date, there is no reasonable possibility that the City Clerk and the Department of Information Technology can implement the ordinance as written.

Very truly yours,



ADRIENNE G. SOUTHGATE
Deputy City Solicitor

AGS/vav