

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 510

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 on July 26, 2012; and

WHEREAS, the various 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 charter review commissions be appointed as of September 1, 2021, and every ten years thereafter? [Amends Section 1302]

Shall amendments approved by electors of the city be effective upon approval, unless otherwise noted? [Amends Section 1401]

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The amendment would provide future charter review commissions additional time to review and propose amendments to the charter.

1302. Charter review commission.

In the month of January 1992, and every tenth year thereafter until 2012, a charter review commission shall be appointed to review the operation of the Charter and to recommend to the city council such amendments as it may deem appropriate. Each such commission shall comprise nine (9) members, four (4) of whom shall be appointed by the mayor and five (5) of whom shall be appointed by the city council, and shall have a maximum of eight (8) months from the date of the appointment of its members to complete its report and submit the same to the city council.

Following the appointment of the 2012 commission, such commission shall be appointed in September 2021 and every tenth year thereafter. At any time the appointment of a charter review commission may be requested by petition containing at least three thousand (3,000) valid signatures of qualified voters of the city. Upon submission of such petition to the city council, a commission shall be appointed in the same manner as aforesaid to submit its report in a maximum of eight (8) months from the date of its appointment; provided, however, that no such commission shall be appointed if a charter review commission shall have been appointed within one year of the submission of said petition, and provided further, that no such commission shall be appointed during the life of any charter review commission or any home rule charter commission elected by the voters of the city.

Shall amendments approved by electors of the city be effective upon approval, unless otherwise noted? [Amends Section 1401]

In accordance with legal requirements, the addition to section 1401 reflects the effective dates of amendments to the charter.

1401. Effective dates of Charter

With the exceptions set forth in this section, this Charter shall take effect on the first Monday in January, A.D. 1983. Sections 201, 202 and 204 of Article II shall take effect upon approval of this Charter by the electors of the city, and subsequent to such approval, the city council shall take all necessary action to implement section 204 of Article II to the end that the election of members of the city council held on the first Tuesday after the first Monday in November, A.D. 1982, shall be conducted on the basis of ward boundary lines drawn in conformity with the provisions of this Charter. Unless otherwise noted, amendments approved by the electors of the city at a general election shall take effect upon such approval.

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).