



Executive Chambers, City of Providence, Rhode Island
VINCENT A. CIANCI, JR.
MAYOR

September 11, 1992

The Honorable

The Members of the City Council of the City of Providence
c/o The Honorable Michael R. Clement
City Clerk
City Hall
Providence, Rhode Island 02903

Dear Members of the City Council:

In accordance with Sections 302 and 412 of the Providence Home Rule Charter of 1980, I disapprove and veto the Resolution Requesting the Secretary of State to Submit to the Electors of the City of Providence at the General Election on November 3, 1992, the following question:

"Shall the Charter be amended so as to allow the City Council to hire consultants by a majority of its members present rather than by a two-thirds (2/3) vote of the entire City Council?"

I object to this Resolution and take this action because the current City Charter ("Charter") provision which authorizes the City Council to retain consultants by a two-thirds (2/3) vote of the entire City Council provides for a reasonable and sufficient procedure to retain consultants. This proposed amendment to the Charter would reduce the number to a simple majority of council members present at a meeting. Consequently, the required majority will be reduced from a vote of ten (10) of the council members to perhaps as few as five (5) whenever a quorum of eight (8) has been established. Such a procedural amendment to the Charter would inevitably invite abuses which would cost the taxpayers money unnecessarily and would seriously undermine safeguards established by the authors of the original Home Rule Charter.

Additionally, this proposed amendment was not recommended by either the Charter Review Commission (impaneled by the City Council and the Mayor) or by the City Council Committee on Ordinances which also considered proposed Charter amendments.

Respectfully submitted,

Vincent A. Cianci, Jr.
VINCENT A. CIANCI, JR.
Mayor of Providence

IN CITY COUNCIL

SEP 17 1992

READ: *And Mayor's veto sustained*

Jean M. Doyle CLERK

RESOLUTION OF THE CITY COUNCIL

No.

Approved

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 City Council seeks to have access to expert assistance more readily available to it; and

WHEREAS, the City council seeks to lessen the legal requirements for obtaining such expert assistance,

NOW, THEREFORE, BE IT RESOLVED:

That the following addition be made to Section 401(d) of the Providence Home Rule Charter of 1980.

"Section 401. LEGISLATIVE POWERS.

...

(d) ~~To retain by two-thirds vote of the entire city council~~
To retain by majority vote of the members of the City Council
then present and to fix the salary of those consultants it deems necessary for the exercise of its functions including, but not limited to, legal counsel, accountants, engineers, and other experts not regularly employed in any city department or service. The city council shall have the power to appropriate funds to defray the costs thereof; ..."

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 so as to allow the City Council to hire consultants by a majority of its members present rather than by a two-thirds (2/3) vote of the entire City Council?"

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.

Councilman Lombardi (By request)

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 J. White
PRES.
Michael R. Conest
CLERK

I hereby disapprove
and veto.

Vincent A. Cianciolo Jr.

Sept 11 1992