



Mayor of Providence

David N. Cicilline

July 23, 2010

Providence City Council
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Re: **Veto of Proposed Changes to Home Rule Charter**

Honorable Members of the City Council:

On July 22, I received the attached letter from the City Solicitor. Under the circumstances, I have no choice but to veto the Resolution regarding changes to the Providence Home Rule Charter.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. N. Cicilline", with a long horizontal flourish extending to the right.

David N. Cicilline
Mayor

City of Providence, Rhode Island 02903
Phone (401) 421-7740 Fax (401) 274-8240

ADRIENNE G. SOUTHGATE
City Solicitor



DAVID N. CICILLINE
Mayor

Department of Law

July 22, 2010

Mayor David N. Cicilline
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Re: Veto of Proposed Changes to Home Rule Charter

Dear Mayor:

On July 15, in my absence, the Council passed a Resolution which would place on the ballot, for consideration at the November general election, two changes to the Providence Home Rule Charter. This was a final action, as I determined when the Council papers were submitted to my office for review on Tuesday. Unfortunately, passage of the Resolution violated the Providence Home Rule Charter ("HRC") and is therefore null and void.

HRC Section 411(f) states:

"The city council shall not take final action on the following types of legislation without a public hearing, which shall be held not less than ten (10) days following notice published in a newspaper circulated generally in the City of Providence: * * * (f) Proposed Charter amendments or changes."

I have notified the Majority Leader of this fatal defect. However, in an abundance of caution, I recommend that you veto the proposed changes to the Providence HRC.

Very truly yours,

A handwritten signature in black ink, appearing to read "Adrienne G. Southgate".

Adrienne G. Southgate
City Solicitor

275 Westminster Street, Suite 200 • Providence, Rhode Island 02903-1845
(401) 421-7740 (Voice) • (401) 751-0203 (TDD) • (401) 351-7596 (Facsimile)

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No.

~~XXXXX~~

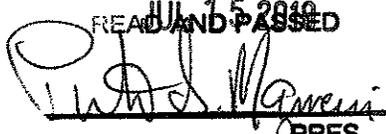
WHEREAS, Section 8 of Article XIII of the Rhode Island Constitution states that "the legislative body of any city or town may propose amendments to a charter," and that such proposed amendments must be submitted for approval by the electors of the city of Providence; and

WHEREAS, § 17-19-7 of the Rhode Island General Laws requires that local questions to be submitted to electors must be transmitted to the Secretary of State ninety (90) days prior to the General Election, and as such, proposed amendments to the Providence Home Rule Charter that will appear as questions on the November 2010 ballot must be certified by the Board of Canvassers no later than August 4, 2010.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence does hereby decree and order that the following ballot questions, as adopted on XXX, be submitted to the Rhode Island Secretary of State:

Shall the Board of Contract and Supply membership be changed by removing the director of public works, the commissioner of public safety, the chairperson of the water supply board, and the president of the school committee as members and adding as a member the chairperson of committee of the city council with jurisdiction over public works, and allow board members who serve on the city council to designate other council members to serve on the board in their absence? [Amends Section 1007]

Shall acts that by Charter require approval of two-thirds of the city council be exempt from mayoral veto? [Amends Section 401 (d) and Section 412].

IN CITY COUNCIL
JUL 15 2010
READ AND PASSED

PRES.

CLERK

VETO
I HEREBY DISAPPROVE
AND VETO.

MAYOR
DATE: 7/23/10