



THE CITY OF PROVIDENCE
ANGEL TAVERAS, MAYOR

2012 CHARTER REVIEW COMMISSION

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RECOMMENDED AMENDMENTS TO THE PROVIDENCE HOME RULE CHARTER

FINAL REPORT JUNE 11, 2012

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The 2012 Charter Review Commission respectfully submits this report to the City Council of Providence, Rhode Island, in accordance with Article XIII, Section 1302, of the Providence Home Rule Charter of 1980, as amended.

OVERVIEW

Pursuant to the mandate of the Providence Home Rule Charter (Section 1302), the 2012 Charter Review Commission was formed in January and began its work in February 2012.

The commission met 15 times between February 1st and June 6th, and held a public hearing on March 14th. The commission publicized its meetings, and solicited recommendations from any and all interested parties. Collectively, commissioners heard from a broad range of groups and individuals, including members of the public, city council members, city employees and department heads, public interest advocates, as well as from the commissioners themselves.

The commission's recommendations address diverse subjects. They encompass everyday work matters concerning the functions of specific city departments, as well as issues of governance on a much larger scale, such as the creation of at-large council seats, management of city finances, and consideration of ward boundary redistricting. Some called for only minor amendments, while others were best addressed by adding entire sections to the charter.

For ease of reading, the recommendations are listed in an order that corresponds with the layout of the existing Providence Home Rule Charter. The commission has chosen to first set forth a brief statement of the need and rationale for each proposal. Each statement is followed by the proposed amendment (crossed out language indicates deletions from the language in the current charter; underlined language reflects additions).

The recommendations reflect the full consensus of the commission; individual votes, while not reflected in this report, may be found in the transcripts of the commission's meetings. In making its recommendations, the commission did not consider whether or not they would be accepted by the city council or the voters. It has offered its collective views of the issues the city currently faces, and which need to be addressed over the next ten (10) years. It is the sincere hope of the 2012 Charter Review Commission that these recommendations will contribute to the improvement of Providence's city government and, as a result, will enhance the health and well-being of the city's residents.

The commission offers its genuine thanks to all those who contributed their time and effort in assisting with this historic process. It looks forward to supporting the city council by whatever means necessary during the review and implementation of the following recommendations.

This report was submitted to the city council via Anna M. Stetson, City Clerk, on June 21, 2012.

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).

REPORT AND RECOMMENDATIONS

ARTICLE I

[Basic Provisions]

The commission proposes adding two new sections to Article I of the Charter. The first proposed amendment reflects a statement of the charter's intent. Throughout the commission's meetings, the most common theme was the need to make provisions that addressed changing economic environments. Section 106 recognizes the need to protect the general health, safety and welfare of the residents, as well as the fiscal health of the city.

Section 107 provides definitions to be applied to the language used throughout the charter, to ensure consistency in interpretation and application. Most notably, it redefines "publication" to permit electronic publication as an alternative to the costly and time-consuming process of placing notice in a newspaper of general circulation. The proposed amendment recognizes evolving state law permitting this process. However, where state law supersedes the city charter, the city will follow the appropriate state requirements.

PROPOSED AMENDMENTS:

106. Organization and administration of city government.

It is the intent of this Charter to provide the mayor and city council with the authority to organize and administer the structure of the city's government in order to protect the health, safety and welfare of its residents, and to maintain the fiscal health of the city.

(a) Any executive order to combine or transfer any functions between departments shall be filed with the city clerk and directed to the council. Unless otherwise specified therein, such an executive order shall be effective after its filing with the city clerk.

(b) No contracts, agreements, ordinances, resolutions, rules or regulations, and/or by-laws shall limit, abridge or in any way impede the authority of the mayor and/or the council of the City to exercise organizational and managerial discretion to protect the health, safety and welfare of its residents, and to maintain the fiscal health of the City.

107. Definitions.

The terms used in this Charter shall have the following meaning:

(a) "City" shall mean the City of Providence, in the County of Providence, and the State of Rhode Island.

(b) "Council" shall mean the duly elected City Council of the City of Providence.

(c) "Domiciled" shall mean that place where a person has his or her true, fixed, and permanent home and principal establishment, and to which whenever he or she is absent has the intention of returning.

(d) "Ex officio" shall mean by virtue of holding elected or appointive office. Unless otherwise specified in this Charter, an "ex officio" member may appoint a designee to act on his or her behalf. An "ex officio" member shall have the same authorities as all other members, including authority to vote.

(e) Mayor. Whenever the word "mayor" is used, it shall mean the mayor of the City of Providence.

(f) "Publication." Unless otherwise required by state law, wherever it appears in this Charter, any provision requiring "publication in a newspaper of general circulation" may be fulfilled alternatively by the following:

- _____ (1) posting of written notice in the office of the Clerk, and
- _____ (2) electronic filing with the secretary of state, and
- _____ (3) electronic posting on the city's official website.

Actual publication in a "newspaper of general circulation" shall not be required.

(g) "Quorum" shall mean a majority of the members of a public body or duly appointed committee.

ARTICLE II

[Elections]

The commission gave serious consideration to proposals to amend the composition of the entity responsible for conducting the redistricting process. The commission did not have time to adequately address or come to a consensus on the proposals for a major overhaul of committee composition. However, the commission strongly suggests that the council continue review of improvements to the process.

The commission did reach a consensus on two other aspects of the public comments and proposals and makes the recommendations below concerning the time afforded to the redistricting process and the paramount need for a full public process.

In endorsing the election of at-large members of the Providence City Council, the commission notes that the driving rationale is to create diverse representation. The research into cities with "majority-minority" make-ups comparable to Providence indicates that a mixed system of ward-based and at-large council members provides representation of a broad range of community members. See "City Comparison Chart: City Council Systems with Majority-Minority Populations" (Appendix I).

The 2002 Charter Review Commission mentioned this same rationale when it its recommendation for at-large members:

"Providence currently differs with many other communities across the state and the nation on the issue of at-large city council members... The presence of at-large members will free the [council] as a whole from the constraints of ward politics, encourage big-picture thinking, and provide additional avenues for citizens to express concern about citywide issues. Furthermore, having several at-large seats on the [council] will give the legislative branch more opportunities to give input to the executive branch on policies and actions that will affect the entire city, thus creating a better balance in visioning and decision-making."¹

In addition, the commission offers the following observation:

"The debate over the relative merits of at-large representation versus single district representation has been a feature of American political life since the founding of the republic. At-large representation has been seen as way to provide a unified set of representatives with a broader political view, but also has the potential for diluting minority interests. Single district representation is perceived as incorporating a greater diversity of views, but risks localism and corrupt "ward" politics... While there is a tendency to think of municipalities as having one of two types of governance, either representatives elected at-large or single-district representation, there is a third common method of representation. The mixed system, in which there are both at-large representatives and representatives elected by district, is used in over a fifth of the cities in the United States. Among cities with populations between 5,000 and 1,000,000 it is the second most common form of representation (after pure at-large representation) and it accounts for more than half the cities with populations between 250,000 and 500,000."²

Due to the complexities of ward boundary redistricting, the commission offers two options for consideration in adding at-large members to the city council. The first is to maintain the current number of council members by reducing ward-based members to 10 and adding 5 members elected citywide (at-large). The rationale for this option is that the existing 15-member ward-based council is too large compared to other cities of comparable populations. This option may require a redistricting process before 2022.

The second option offered by the commission takes into account the recent difficulties associated with ward boundary redistricting. This option would maintain the current number of ward-based council seats at 15, and offer the benefits of at-large seats by adding an additional 4 council seats, for a total of 19 members. Option 2 would not require an interim redistricting process.

¹ 2002 Charter Review Commission Report and Recommended Amendments to the Providence Home Rule Charter, August 14, 2002.

² Edelman, Paul H., In Defense of At-Large Representation: A Positive Approach (2004). Vanderbilt Law and Economics Research Paper No. 04-02; Vanderbilt Public Law Research Paper No. 04-02. Available at SSRN: <http://ssrn.com/abstract=495544>.

PROPOSED AMENDMENTS:**[OPTION 1]****201. – Elected officials.**

The elected officials of the city shall consist of a mayor, who shall be elected at-large by the qualified voters of the City of Providence, and a city council which shall consist of fifteen (15) members, ~~five (5) of whom shall be elected at-large, and~~ one (1) elected from each of the ~~fifteen (15)-ten (10)~~ wards into which the city shall be divided pursuant to section 204 of this article.

204. – Wards and ward boundaries.

The city shall be divided into ~~fifteen (15)-ten (10)~~ wards, the boundaries of which shall be drawn pursuant to the provisions of this section.

~~(a) At its first meeting in 2015, the city council shall enact an ordinance providing for the establishment of the boundary lines of the ten (10) wards of the city, said boundary lines to be established based on the federal census of 2010. Said boundary lines shall be implemented for the election to take place in November 2016. Subsequently, at its first meeting in 2021, and in every tenth year thereafter, the city council shall enact an ordinance providing for the establishment of the boundary lines of ten (10) wards, to be revised as necessary based upon the federal census of 2020 and each federal dicennial census thereafter.~~

~~(b) The procedure set forth in this subsection shall be completed no later than March 1, 1982, in the case of the committees appointed in September, 1981, 2001 and 2011, and March first of each tenth no later than the first day of May in the case of committees appointed in September 2021, and of each year thereafter.~~

[OPTION 2]**201. Elected officials.**

The elected officials of the city shall consist of a mayor, who shall be elected at large by the qualified voters of the City of Providence, and a city council which shall consist of ~~fifteen (15)-nineteen (19)~~ members, ~~four (4) of whom shall be elected at large, and~~ one (1) elected from each of the fifteen (15) wards into which the city shall be divided pursuant to section 204 of this article.

ARTICLE IV**[City Council]**

The commission recommends three proposed amendments to Article IV. Section 411 recognizes that some hearings held by the council are mandated by state law, while others are not. It seeks to clarify that a quorum of the full city council should be present for state-mandated public hearings. At the same time, the amendment permits council committees to hold public hearings with a quorum of the committee, rather than the full council, where the public hearing is not being held pursuant to the Rhode Island General Laws.

The dollar thresholds at which the city must first advertise before it purchases or sells property have not been changed since the charter was first passed in 1980. The commission proposes to raise the dollar amounts in Section 416 to values that consider inflation and are reasonable for this decade.

The third recommendation for Article IV is the addition to the charter of a statement of the city's commitment to minority and women's businesses. The proposed amendment allows the council to set forth by ordinance the specifications of the MBE/WBE program, rather than address the details in the Charter. Doing so also permits a more flexible program since it can be tailored by ordinance if appropriate.

PROPOSED AMENDMENTS:

411. Public hearings.

(1) Mandatory Public Hearings. 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:

- (a) Salaries of elected officers of the city, appointed members of commissions, department and agency heads;
- (b) The annual appropriation ordinance and capital improvement budget;
- (c) Land use control, such as zoning, subdivision or planning, including adoption of the comprehensive plan;
- (d) New taxes or increases in the rate of existing taxes;
- (e) Wards and ward boundaries; and
- (f) Proposed Charter amendments or changes.

A quorum of the city council shall be present at public hearings on the above matters.

(2) Discretionary public hearings. When any ordinance or resolution concerning any matter other than those in subsection (1) above shall be referred by the city council to a committee for further investigation, a quorum of said committee may hold public hearings thereon. Absent a public hearing noticed and held by the committee, and in the event that a petition shall be presented to the city clerk signed by at least fifty (50) qualified electors of the city, the committee shall hold a public hearing within two (2) weeks from the date of presentation.

(3) Notice. Any public hearing required or permitted by this Charter shall be preceded by a notice setting forth the date, time and a brief description of the substance of the hearings, such notice to be published in a newspaper of general circulation in the city of Providence not less than ten (10) days prior to the hearing and posted in the office of the city clerk.

416. Acquisition and disposal of property.

(a) Acquisition of property. Public notice shall be given by publication in a newspaper circulated generally in the City of Providence once at least ten (10) days prior to the acquisition of any real property when the purchase price to be paid by the city equals or exceeds the sum of ~~two five~~ thousand dollars (~~\$25,000.00~~), unless such acquisition is to be accomplished pursuant to the general laws of the state by condemnation in eminent domain proceedings, or unless such acquisition is necessary in connection with public improvement proceedings accomplished pursuant to law.

(b) Sales or disposal of property. Any sale of city-owned property except that which has reverted to the city for nonpayment of taxes shall be accomplished in accordance with the following procedure:

(1) Public notice of any proposed sale of city property shall be given at least once a week for two (2) weeks in a newspaper circulated generally in the City of Providence, and this shall be done at least two (2) weeks prior to the acceptance of sealed bids. Such notice shall contain a statement that any and all bids may be rejected and the property may be re-advertised. Such notice shall also contain any restrictions placed on the use of the property to be sold as mandated by the city plan commission or established by the city council by a majority vote.

(2) Prior to the ~~sale publication of notice~~ of any ~~proposed sale of any city-owned real or personal~~ property, the city assessor shall appraise the same and determine the current market value thereof. With the approval of the city council, the city assessor may obtain the services of other qualified persons to assist him in such appraisal.

(3) Sale of city property may be made only to the highest qualified bidder in compliance with the restrictions noted in subsection (1) upon sealed bids to the city council. Any and all bids may be rejected and the property re-advertised or removed from the market. No sale of any city property shall be made for less than ninety (90) per cent of the appraised value thereof.

(4) Any city personal property having an appraised value ~~of one two thousand five hundred~~ dollars (~~\$12,9500.00~~) or less may be sold without public notice or public bid as required by this section; and, further, such property may be sold for any reasonable amount irrespective of its appraised value.

(5) Any sale of real property shall be authorized only by resolution adopted by the affirmative vote of a majority of all members of the city council.

(6) Any lease of city-owned real property shall be authorized by resolution of the city council. If the city council does not take any action within forty (40) days of receipt of the proposed lease, the lease shall take effect.

(7) No city property shall be exchanged for other property until an appraisal of all property included in the exchange has been made by the city assessor and the value of the property to be received by the city equals or exceeds the value of the property to be disposed of by the city. Exchange of property must be authorized by resolution passed by an affirmative vote of the majority of the entire city council unless otherwise specified by this Charter.

(8) Sale of city property to the Providence Redevelopment Agency or the Providence Plan Housing Corporation shall not be subject to the restrictions set forth in subsections (1), (2), (3), (4) and (7) of this section.

417. Minority and Women's Business Enterprise Programs

It is the policy of the city to promote the procurement and development of city business by enterprises comprised of minorities and women. The City Council shall adopt an ordinance to provide for the establishment, implementation, and monitoring for compliance of a business procurement system that is consistent with federal guidelines for Minority Business Enterprise and Women's Business Enterprise procurement programs, as such federal guidelines may be amended from time to time.

ARTICLE VI

[Appointed Officers]

The commission recommends clarifying the duties of the city solicitor to ensure that the Solicitor's Office reviews all legally binding municipal documents, whether prepared by the Solicitor's Office or others. This will ensure consistency and a central reference repository for legal counsel for the city. The amendment also specifically authorizes the solicitor, on behalf of the city, to seek all types of judicial relief allowed by law. The current charter denominates only injunctive relief. Finally, the amendment also permits the city solicitor to hire those staff members he or she deems appropriate and necessary, within the budget appropriated to that office. The solicitor is currently limited to a certain number of staff, each with specified titles.

PROPOSED AMENDMENT:

603. City solicitor.

(b)[*Powers and duties.*] The powers and duties of the city solicitor shall be, without limitation, the following:

* * *

(7) To draft **and review** executive orders, rules and regulations for the mayor or for any agency of city government listed in clause (2) of this section;

(8) To prepare **and review** all leases, deeds, contracts, bonds and other instruments in writing in which the city is concerned and/or to endorse thereon the approval of the city solicitor of the form and correctness thereof;

(9) To perform such other legal duties as the city council may by resolution or ordinance require;

(10) To apply, when so instructed by the mayor or the city council, in the name of the city to a court of competent jurisdiction for an injunction to restrain the misapplication of the funds of the city or the abuse of its corporate powers or the execution or performance of any contract which was made on behalf of the city in contravention of law or which was procured by fraud or corruption; and to seek any remedy permitted by law, including but not limited to injunctive and/or compensatory relief.

(11) To ~~apply~~ pursue, when so instructed by the mayor or by the city council, or upon said city solicitor's own initiative, ~~for suitable process~~ any remedy permitted by law to stop any activity prohibited by this Charter, and/or to compel the performance of any officer or employee of the city who fails to perform any duty, discharge any responsibility, or make any disclosure required by the terms of this Charter or by law.

(c) [Personnel] The city solicitor shall have power, within the limitations of the appropriation therefore, to employ professional counsel and to appoint such other employees as prescribed by Ordinance.

ARTICLE VIII

[Budget Procedure and Finance]

Consistent with its goal of providing fiscal transparency and efficiency, the commission recommends that Article VIII be amended. The commission's specific proposals call for the establishment of budget reserve fund, to be effective no later than 2017. The reserve fund may be accessed by the mayor, with the approval of the majority of the council, in the event of an unforeseen deficit, or if necessary to protect the health, welfare and safety of the residents of Providence.

The method of calculating the amount to be deposited annually in the budget reserve fund is set forth in Section 802(B)(1). The city council has authority to phase in the budget reserve fund contributions, but without a super-majority vote, may not postpone the funding for more than five years. The amount of the Budget Reserve Fund appropriation, and the proposed uses of any such funds are to be itemized in the annual operating budget the mayor presents to the council.

Section 810 would raise from five thousand dollars to twenty-five thousand dollars the amount the mayor may authorize the finance director to transfer from one department, agency or office to another in any given year. Two-thirds of the city council must approve any proposed transfer of appropriations in excess of the \$25,000 ceiling.

The commission endorses transparent long-term planning by requiring the finance director to submit a five-year financial plan to the mayor and city council, no later than January 31 of each year.

PROPOSED AMENDMENTS:**802. Budget estimates and budget reserve fund.**

A. _____ Annually at such date as the mayor shall determine, the finance director shall, at the direction of the mayor, obtain from each head of a department, office or other agency of the city an itemized estimate of the anticipated revenue and of the proposed expenditures necessary to meet the needs of such department or agency. Each itemized estimate shall be detailed by the character and object of expenditure and shall be accompanied by an inventory of all equipment, materials and supplies on hand and a statement in writing of the work to be performed by means of such proposed expenditures. Estimates shall be in a form and with such explanation as the finance director may require. Itemized estimates of the financial needs of the city council shall be furnished by the city clerk and estimates of the amount of money required for interest and principal payments on the city debt, the amounts required for payment into the city sinking funds, the amount required for payments on all judgments standing against the city and all other anticipated expenditures not properly chargeable to any specific department, office, commission or other agency shall be furnished by the controller.

B. _____ ~~There shall be established a Budget Reserve Fund. -- There is hereby established a budget reserve fund within the general fund effective no later than FY 2017. The City Council may, by ordinance, establish a minimum reserve amount based upon a percentage of estimated city general revenues as set by subsection (1).~~

(1) Revenues in this budget reserve account shall be used for capital improvements; except that such revenues may be appropriated by the Mayor in the event of an emergency involving the health, safety or welfare of the residents of the City of Providence or in the event of an unanticipated deficit in any given fiscal year; such appropriations to be approved by a majority vote of the council. The Budget Reserve Fund shall be determined as follows, effective no later than FY 2017: (a) No appropriation, supplemental appropriation or budget ordinance shall cause the aggregate city general revenue appropriations enacted in any given fiscal year to exceed ninety-seven percent (97%) of the estimated city general revenues for such fiscal year from all sources, including estimated unencumbered general revenues to the new fiscal year remaining at the end of the previous fiscal year. Estimated unencumbered general revenues are calculated by taking the estimated general revenue cash balance at the end of the fiscal year less estimated revenue anticipation bonds or notes, estimated general revenue encumbrances, estimated continuing general revenue appropriations and the amount of the budget reserve account at the end of said fiscal year. The council is authorized to phase in this provision, however absent approval by a super majority of three-fourths of the full council, the effective date of this provision shall not be postponed for more than five years.

(2) The amount between the applicable percentage in (a) and one hundred percent (100%) of the estimated city general revenue for any fiscal year as estimated in accordance with subsection (a) of this section shall be appropriated in any given fiscal year into a budget reserve account; provided, however, that no such payment will be made which would increase the total of the budget reserve account to more than four percent (4%) of only the estimated city general revenues as set by subsection (a) of this section.

803. Operating budget.

It shall be the duty of the mayor to frame and submit to the city council not later than sixty (60) days prior to the start of each fiscal year an operating budget for the ensuing fiscal year containing:

(a) An estimate of the amount of any general fund surplus in the current fiscal year available for appropriation in the ensuing fiscal year;

(b) An estimate of receipts for the ensuing fiscal year from taxes on real estate and tangible and intangible personal property;

(c) An estimate of other receipts for the ensuing fiscal year itemized by sources;

_____ (d) A calculation of the Budget Reserve Fund and proposed use of excess funds if any;

(e) Debt service requirements for the ensuing fiscal year;

_____ (f) An estimate of any deficit from the operations of the current fiscal year and any other charge or obligation required by this Charter or by law to be paid in the ensuing fiscal year;

_____ (g) An estimate of the expenditures recommended by the mayor as necessary or desirable for the purpose of carrying on the work of the several departments, offices and agencies of the city for the ensuing fiscal year itemized by activities and objects and related to the performance goals and objectives of each department, office and agency of the city under guidelines established by the finance director;

(h) An overall statement of the financial condition of the city at the end of the last completed fiscal year, the estimated financial condition at the end of the current fiscal year, and an estimate showing what the financial condition at the end of the ensuing fiscal year would be in the event that the financial proposals contained in the budget should be adopted.

The operating budget shall further be arranged to show in parallel columns comparative figures for receipts and expenditures as estimated for the current fiscal year and the ensuing two (2) fiscal years and actual receipts and expenditures for the preceding two (2) fiscal years. The total of estimated expenditures listed in the operating budget shall not exceed the total receipts estimated therein, taking into account any general fund surplus or deficit estimated to be carried over from the current fiscal year and the estimated receipts from proposed new revenue measures within the authority of the city council to enact.

808. Application of revenue.

Except for such revenue as may be by law, this Charter or trust devoted to specific purposes, all revenue of the city shall be paid into and credited to the general Fund; provided, however, that monies received by the city from the sale of capital assets shall be deposited in a special fund and used only for payment of the city debt or to finance capital expenditures authorized by the capital improvement budget, and provided further, that all revenue from the water supply system shall first be applied to the operation and maintenance of the system and for the payment of interest on the retirement of bonds of the system, any excess revenue thereafter, as determined by the water supply board, shall be paid into and credited to the general fund; and provided, further that all payments made by the state or federal governments to the City of Providence for the support of public schools, together with tuition fees earned by the school department and all miscellaneous receipts of the school department now available to it for expenditure in accordance with the provisions of state law shall be paid over and credited to the school fund by the city treasurer. Any surplus resulting from excess revenue receipts over estimates and unencumbered balances of appropriations at the end of any fiscal year shall revert to the general fund current operating surplus account and shall be subject to such reservations or other disposition as the city council may direct except for the transfer to the Budget Reserve Fund which shall remain in the fund until appropriated in accordance with Section 802.

810. Transfer of appropriations.

The mayor may authorize a transfer of a portion of any unencumbered item of appropriation as certified by the finance director to another item of appropriation either within a single department, office or agency of the city or between two (2) or more such departments, offices or agencies, except appropriations for payments to the sinking fund, city debt or retirement fund, provided that no transfer shall exceed twenty five thousand dollars (\$25,000.00) in the aggregate within one fiscal year, and provided further that the mayor shall notify the city council of the transfer. If the amount to be transferred exceed twenty five thousand dollars (\$25,000.00), it shall be the duty of the mayor to submit the proposal in writing to the city council for approval or rejection before such transfer is accomplished; provided, however, that the city council may alter the ceiling of twenty five thousand dollars (\$25,000.00) by a two-thirds vote of its entire membership following a public hearing. If the transfer is approved by resolution of the city council, the finance director shall cause the amounts of the appropriations affected to be transferred accordingly.

813. Finance department.

There shall be a finance department consisting of a finance director, city controller, budget officer, budget analyst, city collector and city assessor. The finance director shall be appointed by the mayor with approval of the city council and shall hold office at the pleasure of the mayor. The city controller, budget officer, budget analyst, city collector and city assessor shall be appointed by the finance director and shall serve at the pleasure of the finance director.

(a) Finance director. The finance director shall be a college graduate who shall have such training and experience in accounting, budgeting, and management, either in public or private business, and shall have knowledge of, and preferably experience in, government finance or equivalent training or experience as will qualify for the duties of this position. The finance director shall be the chief fiscal officer of the city and shall be responsible to the mayor for the sound and prudent financial direction of the city. The director shall supervise all functions of the department, and shall implement a performance budget system for the city. The powers and duties of the finance director shall include, without limitation, the following:

(1) To prepare the operating budget annually under the direction of the mayor who shall submit the same to the city council as provided in section 803;

(2) To develop a five-year financial plan for the city which shall be provided to the Mayor and submitted to the City Council by January 31st. The plan shall include projections of anticipated revenues and general estimates of expenditures during the five (5) fiscal years next ensuing, with appropriate supporting information, arranged so as to identify the planning goals, planning objectives and anticipated programs of city government for the ensuing five (5) years;

* * * *

ARTICLE IX

[Personnel Department]

The proposed amendments to Section IX, with the exception of Section 908 (Retirement Board) are primarily "technical," changing the use of the term "Personnel Department" to "Human Resources Department," and the term "personal secretary" to "confidential secretary." The commission recommends that these changes be made in order to comply with current language and practices. The proposed deletion of 903(p) brings the charter into compliance with current law by eliminating the director's duty to monitor employees' compliance with residency requirements that are no longer enforceable.

Finally, the amendment to the personnel department reflects the more appropriate division of responsibilities for employee hiring and discipline by changing the authority of department heads who hire and promote employees. The hiring authorities will properly recommend to the director of human resources the demotion, suspension and dismissal of employees under their jurisdiction, but will not themselves carry out such actions. This recommendation is consistent with prevailing practices and provides a more equitable disciplinary process.

With respect to Section 908, the commission notes that the Retirement Board is currently comprised of seven non-employees and six employees/retirees. The commission recommends adding two additional representatives; specifically the internal auditor and the mayor (with the option to allow the mayor to appoint a designee in his or her place). The addition of the two representatives will result in a board of 15 members.

PROPOSED AMENDMENTS TO 901-906:

901. ~~Personnel~~ Human resources department.

There shall be a ~~personnel~~ human resources department, the head of which shall be the director of ~~personnel~~ human resources, who shall be a person holding at least a bachelor's degree from an accredited college or university, and who shall have had a minimum of five (5) years' experience in personnel management of an employment system, or an equivalent combination of training and supervisory experience. The ~~personnel~~ human resources department shall be responsible for instituting and operating a personnel management system for the city in accordance with the provisions of the following sections of this article.

903. Director of ~~personnel~~ human resources; duties and powers.

The director of ~~personnel~~ human resources shall, after consultation with department heads and in accordance with state law or applicable collective bargaining agreements:

- (a) Make annual and special reports to the mayor on the quality and status of personnel administration in the city government and make recommendations for improvements;
- (b) Prepare and revise at least once every four (4) years the classification plan for all city positions based on:
 - (1) The duties, authority and responsibility of each position,
 - (2) The degree of experience and/or education required,
 - (3) Standards for determining qualifications, and
 - (4) Job title and salary range. There shall be adequate provision for reclassification of positions if necessary;
- (c) Establish, with the approval of city council, a pay plan listing all the position classes in the city with the pay rates or ranges assigned to each class;
- (d) Establish, with the approval of city council, minimum qualifications for each class of position and standards for determining eligibility and fitness of the candidate(s) after consultation with the appropriate appointing officers;
- (e) Provide for a probationary period of six (6) months before the appointment or promotion becomes permanent, during which time the probationary employee may be discharged or reduced in class position;
- (f) Establish the standards for evaluating job performance and supervise the maintenance of personnel files by the appointing officers. Probationary employees shall be evaluated at least twice within the first six (6) months of employment on their job performance. Regular employees shall be evaluated annually according to the performance standards established by the appointing officer and the director of ~~personnel~~ human resources. Personnel files shall also be current with regards to records and attendance at work, in-service training, and any other education and/or training taken

on the initiative of the employee. These shall be considered as factors in determining promotions, demotions, discharges, and transfers;

(g) Establish procedures for temporary appointments. These shall be made only with the approval of the director of ~~personnel-human resources~~ for a period of no longer than one hundred eighty (180) days, and are renewable once for an additional one hundred eighty (180) days;

(h) Provide for emergency appointments only with the approval of the director of ~~personnel-human resources~~ and only when necessary to prevent serious impairment of the public business. These appointments are to continue only during the period of the emergency;

(i) Provide for temporary transfer of employees between departments or other agencies of the city because of seasonal, abnormal or emergency conditions before any temporary employees are appointed;

(j) Establish ~~and enforce~~ procedures for suspensions, discharge or reduction in class position, and layoffs;

(k) Provide for transfers within the same class position;

~~(l) Examine and approve all payrolls on which the names of city employees appear.~~ The director of ~~personnel human resources~~ shall certify that each salary or wage earner has been appointed and is being employed under the rules and regulations of the director of ~~personnel human resources~~ and that the pay rates conform with the pay plan, and that regulations with regard to sick leaves, overtime and vacations have been observed;

(m) Identify promotional paths within municipal service, organize this information and freely provide career planning assistance to all city employees;

(n) Aid the mayor, city council, and all appointing officers in handling personnel matters under their jurisdictions;

(o) Aid the mayor in all negotiations with collective bargaining units.

~~(p) — It shall be the duty of the director of personnel to monitor on a timely basis the residency requirements set forth in section 1210 of this charter and report any violations to the mayor and city council for appropriate action.~~

904. Appointment, promotion, demotion, suspension and dismissal of employees.

All department heads and all boards, agencies and commissions of the city shall have the responsibility for the appointment; ~~and promotion, demotion, suspension and dismissal of all employees under their jurisdiction in accordance with the provisions of this Charter and such personnel rules and regulations as may be made pursuant thereto. Regular employees shall not be dismissed except for cause which shall be defined in rules developed by the director of personnel and shall be promulgated to all employees of the city. Recommendation for demotion, suspension and dismissal of all employees under their jurisdiction shall be made to the director of human~~

resources in accordance with the provisions of this Charter and such personnel rules and regulations as may be pursuant thereto.

905. Personnel system coverage and exemptions.

All officers and employees of the city, and of every department, office or other agency thereof shall be covered by the personnel system provided for in this article with only the exceptions listed below. The following officers and employees of the city shall not be covered by the personnel system:

- (a) Officers elected by the people;
- (b) Department heads;
- (c) Officers elected or appointed by the city council;
- (d) Members of city boards, commissions and agencies;
- (e) Mayor's office staff, personal aides and assistants;
- (f) Experts retained by the city council;
- (g) One ~~personal confidential~~ secretary for each department head;
- (h) One secretary for each board, agency or commission;
- (i) Legal assistants to the city solicitor;
- (j) All employees of the school department;
- (k) Persons employed by contract to perform special services for the city where such contract is certified by the director of ~~personnel~~ human resources to be for employment which because of its expert nature or character cannot be performed by persons within the system;
- (l) Persons temporarily appointed or designated to make or conduct a special inquiry, investigation or examination or to perform a special service where such appointment or designation is certified by the director of ~~personnel~~ human resources to be for employment which because of expert nature or character could not or should not be performed by persons in the personnel system;
- (m) Policemen and firemen under the jurisdiction of the department of public safety, otherwise known as the sworn personnel of said department.

906. Affirmative action.

There shall be an affirmative action office, headed by an affirmative action officer appointed by the mayor, within the ~~office of the mayor~~ department of human resources. ~~It shall be the duty of the affirmative action officer,~~ in cooperation with ~~the director of personnel and~~ appointing officers to ensure equal ~~employment~~ opportunities for all ~~persons of the citizens of the city~~ within the city government.

PROPOSED AMENDMENT TO SECTION 908:**908. Retirement board.***(a) Election and term.*

(1) There shall be an employee retirement board consisting of ~~fifteen (15) members;~~ the ~~mayor or his or her designee,~~ the city treasurer, the chairperson of the city council committee on budgetary matters or his ~~or her~~ designee, ~~and the internal auditor,~~ and the finance director, ex officio; two (2) members who shall not be officers or employees of the city who shall be elected by the city council; two (2) members who shall not be officers or employees of the city who shall be appointed by the mayor, and ~~six (6)~~ representatives of the present and retired employees of the city. The employee ~~and retiree~~ representatives shall be chosen from the two (2) classes of employees designated for retirement purposes, to wit, "Class A employees," who are all employees covered by the retirement system not otherwise designated, and "Class B employees," who are police personnel and firefighters, otherwise known as the sworn personnel of the department of public safety. Two (2) Class A employees shall be elected by the members of the system who are Class A employees; one Class B employee shall be elected by the members of the system who are Class B employees of the city fire department; one Class B employee shall be elected by the members of the system who are Class B employees of the city police departments; one retired Class A employee shall be elected by the retired members of the system who were Class A employees; and one retired Class B employee shall be elected by retired members of the system who were Class B employees. The election by the members shall be in accordance with such rules as the board shall adopt to govern such elections. The regular terms of elected members shall be four (4) years. Vacancies among the elected members of the board shall be filled for the unexpired term in the manner provided for the original election.

ARTICLE X**[City Departments]**

Article X of the charter establishes various departments within the city. Amendments are proposed to the department of public safety and the department of public property. Further, the commission recommends that the charter provide for a department of arts, tourism and culture, in accordance with the ordinance creating such department.

The proposed amendment to the department of public safety places within its jurisdiction the recently re-defined Providence Emergency Management Agency and Department of Homeland Security ("PEMA"). 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.

The commission further recommends amending the required qualifications for the director of the department of public property by permitting the hiring of a person who has either five years of work experience or a college degree. The amendment requires that preference be given to a candidate with a college degree.

The commission is certain that the department of arts, culture and tourism is charter-worthy. Providence is known as, and is titled, the "Creative Capital." The vast majority of endeavors that keep the city worthy of this title filter through, and function within, this department. The kinds of unique accomplishments this department has made with respect to generating tourism alone over the past several years further substantiates the commission's conviction on this matter. Arts and culture stimulate tourism; tourism generates revenue. This department has proven its ability to successfully operate on less than one percent of the city's annual budget.

PROPOSED AMENDMENTS:

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.

(a) *Police department.* The head of the police department shall be the commissioner, who shall appoint a chief of police, who *Police department.* The head of the police department shall be the commissioner, who shall appoint a chief of police, who shall serve as the chief executive officer of the police department subject to the direction of the commissioner. The commissioner shall:

* * *

(b) *Fire department.* The head of the fire department shall be the commissioner, who shall appoint a fire chief, who shall serve as the chief executive officer of the fire department subject to the direction of the commissioner. The fire department shall continue to perform the functions and services relating to fire protection and fire prevention heretofor performed and such other duties as may be required by law or ordinance. The commissioner shall:

* * *

(c) *Department of communications.* The head of the department of communications shall be the commissioner, who shall appoint a director of communications, who shall serve as the chief executive officer of the department of communications subject to the direction of the commissioner. The department of communications shall have jurisdiction over all design, procurement, installation and operation of all municipal radio, television, teletype and other associated equipment. The commissioner shall:

* * *

(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.

1006. Department of public property.

There shall be a department of public property, the head of which shall be the director of public property, who shall be a person holding at least a bachelor's degree from an accredited college or university, or who shall have had a minimum of five (5) years of experience in the supervision of a centralized system for purchase, distribution and inventory of supplies, or supervision of building maintenance, or equivalent training or experience. In appointing the director of public property, preference shall be given to an individual who has the educational background described herein.

1018. Department of Arts, Culture and Tourism.

There shall be a Department of Arts, Culture and Tourism, the director of which shall be the director of art, culture and tourism, and who shall be a person holding at least a bachelor's degree from an accredited university.

The duties and powers of the director shall include, without limitation, the following:

- (1) To administer the city arts programs, including to enter into cooperative agreements with other governmental entities and not-for-profit organizations for purposes of administering public programs;
- (2) To coordinate city services for large special events and film projects;
- (3) To promote city and neighborhood festivals and concerts;
- (4) To do research, conduct educational programs, and disseminate information to the public regarding art, culture and tourism;
- (5) To sponsor art and culture activities conducted in the name of the City of Providence, and, in conjunction therewith, to develop procedures and practices that will assure both the appropriate evaluation of such projects and the monitoring of expenditures;
- (6) To award grants to cultural organizations and to individual artists. The director should ensure that equitable distribution of such grants so as to ensure that the city's programs reflect the city's diverse heritage;
- (7) To work with other city departments to support and nurture creative businesses;

(8) To negotiate sponsorships for large scale events and for promotion of Providence tourism, and to execute resulting sponsorship agreements on behalf of the city, subject to the authority of the city solicitor. Terms of such agreements may include, without limitation, identification of a sponsor on city promotional materials and web sites;

(9) To acquire grants from federal and state government and local and national foundations in order to support policy, programming, and research activity;

(10) To serve as one of the mayor's appointments to the Providence Warwick/Convention and Visitors Bureau.

ARTICLE XII

[General Provisions]

The commission proposes two amendments to Article XII. First, it recommends limiting chairs of boards, authorities and commissions to two consecutive terms, with the exception of the mayor, council members or department heads sitting *ex officio*. It would allow for fresh leadership and minimize any appearance that a chairperson exercises undue control of the entity.

Secondly, the recommended addition of 1206(e) would specifically prohibit the use of influence in hiring family members or business associates. The terms "family member" and "business associate" are defined in the State Code of Ethics and have previously been adopted and incorporated into the charter. The proposed amendment specifically applies to the mayor, city council and department heads.

PROPOSED AMENDMENTS:

1202. General provisions for boards, authorities and commissions.

The following provisions shall apply to all boards, authorities and commissions of the city, subject to any exceptions or qualifications set forth in this Charter or in state law.

(a) If during a term of office a board, authority or commission member dies, resigns, is convicted of a felony or crime of moral turpitude or a violation of official duties, or is absent from five (5) consecutive regular meetings of the board, authority or commission on which such member serves without the consent of the appointing authority, the office shall thereupon be declared vacant by the appointing authority and the vacancy shall be filled for the remainder of the term in the same manner as the original appointment.

(b) No member of a board, authority or commission shall continue in office after his or her term expires without being reappointed by the appointing authority.

(c) No person shall serve more than two (2) consecutive terms as chair of any board, authority or commission. This provision shall not apply to the mayor, city council members and/or department heads who serve as chair *ex officio*.

1206. Prohibited activities and conflicts of interest.*(a) Prohibitions concerning partisan political activities.*

* * *

(b)[Certain activities required to be disclosed.]

* * *

(c)[State provisions adopted.]

* * *

(d)[Disclosure of interests.]

* * *

(e) [Prohibition against influence in hiring.] However, no officer or official shall use the authority or influence of his/her position to secure employment for any person within his/her family and/or for business associates. This provision shall apply prospectively as of its effective date, and shall not apply to individuals employed by the City prior to its effective date.

ARTICLE XIII
[Charter Amendment]

The commission finds it essential to allow future charter review commissions additional time to review the charter, and discuss and propose amendments. The charter is reviewed only once every ten (10) years – a period of time in which much may change. Adjusting the time frame by way of passing this proposed amendment will benefit future commissions by allowing them an enhanced ability to understand, study and discuss potential charter amendments and to make appropriate recommendations without being time-strapped to the extent the pertinent goals may not be met.

PROPOSED AMENDMENT:**1302. Charter review commission.**

In the month of January 1992, on the day of the 1st, in the year 2021, 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.

ARTICLE XIV
[Transitional Provision]

In accordance with legal requirements, the additions to section 1410 reflect the effective dates of the 2012 amendments to the charter.

PROPOSED AMENDMENT:**1410. 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. Amendments approved by the electors of the city at the general election of 2012 shall take effect upon such approval.

ABOUT THE COMMISSIONERS

CLIFF WOOD • Chair

Cliff Wood works for the Providence Foundation and is currently leading and developing the Greater Kennedy Plaza initiative and collaborating on policy and strategic efforts to assist downtown Providence's physical and economic development. As a member of the City Council from 2006-2010, Mr. Wood assisted public education and preservation advocates in the restoration of Nathan Bishop Middle School. Mr. Wood Cliff was the founding director of Providence's Department of Art, Culture + Tourism which, under his tenure, developed the Providence Sound Session music festival, FirstWorksProv and FirstWorksKids arts festivals, Celebrate Providence! Neighborhood Arts Programming Initiative and a collaboration with the Rhode Island Film & Television Office. Mr. Wood has served on the transition teams of two Providence mayors and as Deputy Chief of Policy for Mayor Cicilline. He previously worked at Cornish Associates in support of their company mission to rebuild Downcity Providence.

Before moving to Providence in 1997, Mr. Wood worked in Washington, D.C. for the US Climate Action Network promoting an effective international treaty on global warming, and coordinating the dissemination of information about climate change, science and policy.

ROBERTO GONZALEZ • Vice-Chair

Attorney Gonzalez is a former Chief Judge of the Providence Housing Court whose legal experience spans two decades in the private and public sectors. Prior to becoming a lawyer, he was the Director of the Educational Opportunity Center at Rhode Island College - a program designed to provide scholarship assistance to worthy students. In addition, he serves as a member of the boards of the International Institute of Rhode Island, the Rhode Island Coalition of Immigrants and Refugees, and the Opportunities Industrialization Center of Rhode Island.

Roberto received his Juris Doctor from the New England School of Law in Boston, Massachusetts. He earned a Master of Arts degree in counseling and Bachelor of Arts Degree in social work, both from Rhode Island College.

JOSE F. BATISTA

Mr. Batista takes pride in having attended Providence Public Schools from kindergarten through high school, including Sackett Street Elementary, Roger Williams Middle School, and Classical High School. His activities demonstrate his strong belief that government works better when more people are involved in the decision-making processes of government. He has worked as a volunteer in election campaigns, and regularly attends meetings and events to fulfill his role as a community educator.

Mr. Batista holds a degree in Business Management from Bryant University and recently completed his first year at Roger Williams University School of Law.

MEGHAN GRADY

Meghan Grady is the Chief Operating Officer for YWCA Northern Rhode Island, where she manages the day-to-day internal operations of the organization, with a focus on performance management and local priorities. Ms. Grady's previously served as the Deputy Director of the Mayor's Substance Abuse Prevention Council, President of the Rhode Island Young Democrats, and as Director of State Health Alliances for the American Heart Association. She currently serves as a member of the United Way of Rhode Island Board of Directors and Vice-Chair of the Young Leaders' Circle.

Ms. Grady holds a Master's Degree in Public Administration from Roger Williams University and a Bachelor's Degree in Political Science and Communication Studies from Merrimack College, North Andover, Massachusetts.

DAVID B. GREEN

David B. Green, a Providence resident and downtown property owner, is an attorney whose legal practice is dedicated to assisting clients with Social Security Disability claims. He previously served at Rhode Island Legal Services. Mr. Green is a former board member and current sustaining member of the National Organization of Social Security Claimants' Representatives, (NOSSCR).

Attorney Green obtained his Juris Doctor from the University of Tennessee School of Law.

MICHAEL S. VAN LEESTEN

Michael S. Van Leesten is the president of the Van Leesten Group, LLC, Project Director for the OIC (Opportunities Industrial Center) of Rhode Island, and a member of the I-195 Redevelopment Commission. He has over 40 years of community and business development experience, including serving as Executive Director of the Providence Planning and Development Department, Chairman of the Rhode Island Home Mortgage & Finance Corporation, public affairs manager with the Mashantucket Pequot Tribal Nation. Mr. Van Leesten is the current Chairman of the Providence Black Repertory Company.

A member of the RI Heritage Hall of Fame, Mr. Van Leesten has received honorary doctorate degrees from the University of Rhode Island, Roger Williams University and Rhode Island College.

LEONARD L. LOPES

Leonard L. Lopes, Esq., is an attorney and a Rhode Island State House lobbyist. He is a former Chief of Staff and Director of Policy and Legislation for the Office of the Rhode Island Attorney General. In addition, he has served as the Senate Parliamentarian and legal counsel for the Office of the Lieutenant Governor. Mr. Lopes is a community advocate and regularly volunteers his time and talent on several non-profit boards and organizations, including the Providence School Board, Children's Friends and Services, Pawtucket Day Child Development Center, and the Greater Providence Chamber of Providence.

Mr. Lopes earned his Juris Doctor from the University of Miami School of Law, a Masters Degree in Sports Management, and an undergraduate degree in legal studies from the University of Massachusetts, Amherst.

LUCIE SEARLE

Lucie Searle is a downtown Providence real estate developer. Ms. Searle specializes in historic restoration projects for AS220. She is currently president of the Providence Preservation Society, and serves on the board of Grow Smart Rhode Island.

JOHN C. SIMMONS

John C. Simmons currently serves as Executive Director of the Rhode Island Public Expenditure Council (RIPEC) and is responsible for the development, administration and promotion of an applied research and public education program on a broad range of fiscal, public policy and public administration issues affecting state and local governments. He previously served as Chief of Administration for the City of Providence, Chief Finance Officer for the City of Boston, Executive Vice President and Chief Operating Officer for the Associated Industries of Massachusetts; and as Deputy General Treasurer for the State of Rhode Island.

Mr. Simmons has a Masters of Public Administration from the University of Hartford and a Bachelors Degree from Central Connecticut State University.

ABOUT THE AUTHORS**LISA DINERMAN • Senior Assistant City Solicitor • Counsel to Commission**

Lisa Dinerman, Senior Assistant City Solicitor, provided legal guidance to the Commission throughout its tenure. She has thirty years of experience as an attorney in the private and public sectors. Ms. Dinerman's diverse legal background includes numerous matters involving constitutional and municipal law. She has served as head of the Counsel Unit at the Department of Attorney General, and prosecuted civil and criminal fraud cases as an Assistant United States Attorney. Her commitment to public service recently brought her to the City Solicitor's office.

Ms. Dinerman earned her Juris Doctor at the Columbus School of Law at Catholic University in Washington, D.C. She holds a Bachelor's Degree in linguistics from Georgetown University.

NICK HAUGHEY • Consultant to Commission on behalf of the City Council

Nick Haughey began his career in the corporate world of technology and ecommerce, first working for ATG, now owned by Oracle. After successfully assisting the company in making its initial public offering, he moved on to licensing software and participating in CEO task forces that addressed multiple inter-departmental issues. In Los Angeles, Nick worked in the training sector of a labor relations law firm, managing training services accounts, copy-editing publications, and producing videos which are used at training events throughout California. Upon returning to Rhode Island in 2008, he immersed himself in his graduate studies, and later supported policy and research initiatives, and a wide range of constituent issues for the Providence City Council. He also assisted in both primary and general elections.

Haughey holds a Bachelor of Science degree in Communication Studies and Journalism, as well as a Master of Science degree in Political Science, both from Suffolk University in Boston, MA.

Very special thanks are owed to the policy and research division of the Office of the City Council for its unwavering support throughout this process.

Yvonne Graf, Manager of Policy and Research

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