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THE CITY OF CRANSTON

RESOLUTION OF THE CITY COUNCIL
PROPOSING AMENDMENT TO SEC 3.19 OF THE CRANSTON HOME RULE
CHARTER AND DIRECTING THE SECRETARY OF STATE TO PLACE ON THE
BALLOT THE FOLLOWING AS A REFERENDUM QUESTION
(Non-interference in Administrative Matters)

No.

Passed:

John E. Lanni, Jr., Council President

Resolved that

SECTION 1. That Section 3.19 of the Home Rule Charter of the City of Cranston be amended to clarify that council members may communicate directly with department heads:

Sec. 3.19 - Noninterference in administrative matters.

No member of the council shall direct or request the appointment of any person to or any person's removal from any office or employment by the mayor or any of the mayor's subordinates or in any way take part in the appointment or removal of officers and employees of the city except as specifically provided in the Charter. A Council member may make a request for action or may request information from and provide information to any department head except for investigation as provided in Section 3.17 ~~[the council and its members shall deal with the administrative services of the City solely through the Mayor and]~~ neither the council nor any of its members shall give orders either publicly or privately to any subordinate of the mayor. Notwithstanding the preceding sentence, department heads shall give to council members such information as may be requested. If any council member shall violate any of the provisions of this section. That member shall be subject to censure. ~~[that member's seat on the council may be declared vacant by a majority vote of all the other council members, after a public hearing. The seat so declared vacant shall be filled according to the provisions of this Charter].~~

SECTION 2. That the question of the approval of the proposed amendment be submitted to the electors of the City of Cranston at the November 8, 2016 general election in substantially the following form:

"Shall an amendment to Section 3.19 of the Home Rule Charter of the City of Cranston relating to non-interference in administrative matters"

48 Sec. 3.19 - Noninterference in administrative matters.

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50 “No member of the council shall direct or request the appointment of any
51 person to or any person's removal from any office or employment by the mayor or any
52 of the mayor's subordinates or in any way take part in the appointment or removal of
53 officers and employees of the city except as specifically provided in the Charter. A
54 Council member may make a request for action or may request information from and
55 provide information to any department head except for investigation as provided in
56 Section 3.17 [~~the Council and its members shall deal with the administrative services of~~
57 ~~the City solely through the Mayor and]~~ neither the council nor any of its members shall
58 give orders either publicly or privately to any subordinate of the mayor.
59 Notwithstanding the preceding sentence, department heads shall give to council
60 members such information as may be requested. If any council member shall violate any
61 of the provisions of this section, That member shall be subject to censure [~~that member's~~
62 ~~seat on the council may be declared vacant~~ by a majority vote of all the other council
63 members, after a public hearing. ~~The seat so declared vacant shall be filled according to~~
64 ~~the provisions of this Charter.]”~~

65 SECTION 3. That the City Clerk and the Cranston Board of Canvassers forward certified
66 copies of this resolution to the Secretary of State, with a notice that the above question be placed
67 on the ballot at the November 8, 2016 general election, pursuant to the provisions of Sec. 8 of
68 Article XIII of the Constitution of the State of Rhode Island.

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70 SECTION 4. That the City Clerk cause the proposed amendments to be advertised four
71 times during the thirty days prior to the date of the election, and that sufficient copies of the
72 proposed amendment be made available in the city clerk's office for all persons desiring a copy
73 thereof.

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75 SECTION 5. Subject to the approval of these proposed amendments by the electors of the
76 City of Cranston at the aforesaid election, the Cranston City Council does hereby memorialize
77 the General Assembly to act favorably on the validation of the above amendment to the Cranston
78 Home Rule Charter.

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82 Sponsored by Councilman Archetto

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84 Referred to Ordinance Committee December 17, 2015