

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 040822)

RESOLUTION

Calling upon the Mayor to submit to Council his annual budget message, proposed operating and capital budgets, proposed Five Year Plan, and any proposed accompanying revenue measures at the earliest practicable date, and in no event later than the last Thursday in January.

WHEREAS, Sections 2-300 and 2-303 of the Philadelphia Home Rule Charter (“Charter”) require Council to adopt the annual operating budget, the annual capital budget and a six year capital program at least thirty days before the end of each fiscal year; and

WHEREAS, Section 4-100 of the Charter requires the Mayor to submit to Council his operating budget message and a proposed annual operating budget ordinance, together with a recommended capital program and recommended capital budget, not later than ninety days before the end of each fiscal year; and

WHEREAS, Under the Pennsylvania Intergovernmental Cooperation Authority Act and the Intergovernmental Cooperation Agreement between the City and the Pennsylvania Intergovernmental Cooperation Authority (“PICA”), the Mayor is required to submit a revised Five Year Financial Plan and proposed annual operating and capital budgets to PICA at least 100 days prior to the beginning of each fiscal year; and

WHEREAS, After the enactment of the PICA Act and until this year, the Mayor’s proposed operating and capital budgets and revised Five Year Plan have consistently been submitted to Council in January of each year, well in advance of the legal deadline for such submission, so as to permit Council sufficient time to hold extensive hearings on the budget and to perform its due diligence in reviewing, amending if necessary, and approving such legislation in a timely manner; and

City of Philadelphia

RESOLUTION NO. 040822 continued

WHEREAS, This recent precedent was not followed for the FY05 budget. The Mayor did not submit his proposed operating and capital budgets and proposed Five Year Plan to Council until March 18, 2004. Notwithstanding that later submission, Council approved the budgets and Five Year Plan by the May 31, 2004 Charter deadline. However, because the Mayor vetoed those budgets, new budgets had to be enacted, and they were not approved until July 1, 2004; and

WHEREAS, Under the Charter, if a new fiscal year begins without an enacted operating budget, a municipal government crisis results, as no expenditures may be approved without such a budget; and

WHEREAS, To permit Council all appropriate time to duly deliberate the budget, and to permit sufficient time for any necessary negotiations between the Mayor and the Council well before a governmental crisis is threatened, Council must receive the Mayor's proposed budget at the earliest opportunity; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the Council calls upon the Mayor to submit his annual budget message, proposed operating and capital budgets, proposed Five Year Plan, and any proposed accompanying revenue measures to the Council at the earliest practicable date, and in no event later than the last Thursday in January.

City of Philadelphia

RESOLUTION NO. 040822 continued

City of Philadelphia

RESOLUTION NO. 040822 continued

CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twenty-third of September, 2004.

Anna C. Verna
PRESIDENT OF THE COUNCIL

Patricia Rafferty
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Nutter

Sponsored by: Councilmember Nutter