

City of Philadelphia



Philadelphia, February 28, 2002

CERTIFICATION: This is to certify that Bill No. 010617, was presented to the Mayor on the fourteenth day of February, 2002, and was not returned to the Council with his signature at a meeting held February 28, 2002 (being more than ten days after it has been presented to him).

THEREFORE, Pursuant to the provisions of Section 2-202 of the Philadelphia Home Rule Charter, the ordinance becomes effective as if the Mayor had approved it.

A handwritten signature in cursive script, reading "Marie B. Hauser".

Marie B. Hauser
Chief Clerk of the City Council

(Bill No. 010617)

AN ORDINANCE

Providing that no agreement, memorandum of understanding or other commitment for the operation, financing or management of the School District of Philadelphia which will substitute for or supersede the functions of the Board of Education, or its successors or assigns, which will require the appropriation of City funds, the imposition of taxes by the City of Philadelphia, or the authorization by City Council of the levying of taxes on behalf of the School District of Philadelphia, or its successors or assigns, shall be entered into or be of any force or effect without the prior review and approval of the Council of the City of Philadelphia, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. None of the following agreements, memoranda of understanding, contracts or other commitments ("Contracts") shall be executed without the approval of Council by

City of Philadelphia

BILL NO. 010617 continued

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resolution (i) if such a Contract requires the appropriation of City funds, the imposition of taxes by the City, or the authorization by Council of the levying of taxes on behalf of the School District of Philadelphia (“School District”) or its successors or assigns; or (ii) if any payment would be made under such a Contract, in whole or in part, from appropriated City funds, taxes imposed by the City, or taxes levied on behalf of the School District pursuant to authorization of Council:

(a) A Contract entered into by the City with the Commonwealth of Pennsylvania relating to the operation, financing or management of the School District which provides for the School Reform Commission to substitute for or supersede the functions of the Board of Education or its successors or assigns;

(b) A Contract entered into by the School Reform Commission, the School District or other similar entity with an Education Management Organization, Provider, Lead Provider, Charter School, Community Partnership School, or other similar entity for the operation, financing or management of the School District or any part thereof;

(c) A Contract entered into by the School Reform Commission, the School District or other similar entity with a Service Provider which provides for consultant services in whole or in part including, but not limited to, reviewing and evaluating, and recommending changes to, the structure and delivery of educational, administrative and organizational functions of the School District’s Central Office and the implementation of any such changes and training related thereto; or

(d) Any other Contract, with or on behalf of the School Reform Commission or other similar entity, for the operation, financing or management of the School District or any part thereof which will substitute for or supersede the functions of the Board of Education or its successors or assigns.

SECTION 2. Any agreement, memorandum of understanding, contract or other commitment as provided for in Section 1 of this Ordinance shall be submitted to City Council for its timely consideration no later than the submission of the Mayor’s proposed operating budget ordinance for fiscal year 2003, or March 30, 2002, whichever is later, in order that it may be considered in conjunction with other financial obligations of the City, as detailed in the Mayor’s proposed operating budget ordinance and the City’s capital programs and capital budget ordinance.