



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

RESOLUTION NO. 090529

Introduced June 18, 2009

Councilmember Goode

**Referred to the
Committee on Law and Government**

RESOLUTION

Proposing an amendment to the Philadelphia Home Rule Charter confirming Council's power to enact ordinances that (i) require City contractors and recipients of City financial assistance to submit and comply with economic opportunity plans addressing the participation of disadvantaged business enterprises and workforce diversity, and (ii) that provide remedies for violations, including debarment from doing business with the City or receiving City financial assistance for a specified period of time; and authorizing Council to specify procedures for such debarments by conferring powers and duties on existing City agencies, including Council, or by creating new agencies for such purposes; and providing for the submission of the amendment of the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S. §13106), an amendment to the Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now, therefore,

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the following amendment to the Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

ARTICLE II LEGISLATIVE BRANCH

The Council – Its Election, Organization, Powers and Duties

CHAPTER 3 LEGISLATION

City of Philadelphia

RESOLUTION NO. 090529 *continued*

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Section 2-309. Leases and Contracts.

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(4) For purposes of this subsection, “EOP Ordinance” means an ordinance that requires certain or all City contracts and awards of financial assistance to include provisions requiring a contractor or recipient of City financial assistance to submit an economic opportunity plan that addresses the participation of disadvantaged business enterprises and workforce diversity, and to demonstrate best and good faith efforts to comply with such plan. Council’s power to enact EOP Ordinances is hereby confirmed, as is Council’s power to ordain that a contractor or recipient of City financial assistance may, after notice and hearing, be debarred from doing business with the City or receiving City financial assistance for a specified period of time for failure to exercise best and good faith efforts to comply with an economic opportunity plan. An ordinance providing for such debarment may specify procedures for such debarments by conferring powers and duties on existing City agencies, including Council, or by creating new agencies for such purposes.

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Explanation:

Bold italics indicates matter added by the amendment.