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CITY OF BALTIMORE

BRANDON M. SCOTT  
Mayor



DEPARTMENT OF LAW  
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October 5, 2021

The Honorable President and Members  
of the Baltimore City Council  
Attn: Executive Secretary  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

Re: City Council Bill 21-0130 – Supplemental General Fund Operating Appropriation – Health  
Department – \$8,933,951.06

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 21-0130 for form and legal sufficiency. The bill provides a Supplementary General Fund Operating Appropriation in the amount of \$8,933,951.06 to the Baltimore City Department of Health. The money is from the federal Coronavirus Aid, Relief, and Economic Security (“CARES”) Act that had not been anticipated when balancing the budget for Fiscal Year 2021. The appropriation would go to pay for COVID-19 pandemic contract tracing, personnel and testing expenses. The bill is effective on the date it is enacted.

The City Charter establishes the criteria for making supplementary appropriations. City Charter, Art. VI, §8. Section 8(b)(3) of Article VI of the City Charter permits such a supplementary appropriation when there has been “a material change in circumstance or additional appropriations for new programs which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates” for the fiscal year. The supplementary appropriation must be recommended by the Board of Estimates and must be approved by the Mayor and City Council via an ordinance, which must identify the source of the funds and may only encompass a “single program, purpose, activity or project.” City Charter, Art. VI, §8(c). The Law Department approves this bill for form and legal sufficiency.

Very truly yours,

Hilary Ruley  
Chief Solicitor

cc: James L. Shea, City Solicitor  
Nina Themelis, Mayor’s Office of Government Relations  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Ashlea Brown, Chief Solicitor  
Victor Tervalá, Chief Solicitor