

**CITY OF BALTIMORE**

**CATHERINE E. PUGH,  
Mayor**



**DEPARTMENT OF LAW  
ANDRE M. DAVIS, CITY SOLICITOR  
100 N. HOLLIDAY STREET  
SUITE 101, CITY HALL  
BALTIMORE, MD 21202**

**December 4, 2017**

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

**Re: City Council Bill 17- 0167 - Supplementary Casino Special Fund Operating  
Appropriation – Department of Planning – \$6,200,000**

**Dear President and City Council Members:**

The Law Department has reviewed City Council Bill 17-0167 for form and legal sufficiency. The bill provides a Supplementary Casino Special Fund Operating Appropriation in the amount of \$6,200,000 to the Department of Planning – Service 763 (Comprehensive Planning and Resource Management), to provide funding for the South Baltimore Gateway Community Impact District Management Authority. It also provides for a special effective date.

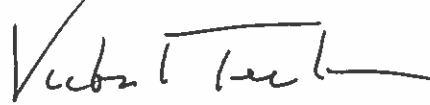
The City Charter establishes the circumstances that permit supplementary appropriations. Article VI, § 8(b)(3) provides for supplemental appropriations made necessary by a material change in circumstances, or by new programs which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates. This Charter provision permits such an ordinance to be passed only if the Board of Estimates recommends its adoption and the City Council passes the bill by three-fourths of its members and approved by the Mayor. City Charter Article VI, § 8(c) further requires that supplemental appropriations be embodied in a separate ordinance limited to a single purpose, program or activity. Section 8(c) also requires the bill to name the source of the revenue necessary to pay the appropriation, other than the property tax or taxes collected pursuant to Article II of the City Charter.

In compliance with the above requirements, the Law Department notes the Recitals of Council Bill 17-0167 state that the bill was made necessary by a material change in circumstances that could not reasonably be anticipated at the time of the formulation of FY 2018 budget. The Recitals also state that the revenue appropriated by this bill represents funds from specific revenue sources in excess of revenues relied upon in determining the tax levy and which do not include property tax revenue or any tax revenue collected pursuant to Article II of the City

Charter. Finally, the Law Department is informed that that the Board of Estimates recommended this appropriation to the City Council on November 22, 2017.

Given the above facts and discussion, the Law Department will approve the bill if the City Council passes the bill by three-fourths of its members and the Mayor approves it.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor K. Tervalo", with a long horizontal flourish extending to the right.

Victor K. Tervalo  
Chief Solicitor

cc: Andre M. Davis, City Solicitor  
Karen Stokes, Director, Mayor's Office of Government Relations  
Kyron Banks, Mayor's Legislative Liaison  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Hilary Ruley, Chief Solicitor  
Jennifer Landis, Assistant Solicitor