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CITY OF BALTIMORE

BRANDON M. SCOTT,  
Mayor



DEPARTMENT OF LAW  
EBONY M. THOMPSON,  
ACTING CITY SOLICITOR  
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BALTIMORE, MD 21202

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June 22, 2023

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 23-0385– Study and Report – Baltimore City Climate Resilience Authority

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 23-0385 for form and legal sufficiency. The bill requires the Director of Finance, the City Solicitor, the Director of Transportation, the Director of Public Works, the Director of Planning, and the Director of Sustainability to submit a report detailing how Baltimore City may establish a local climate resilience authority as authorized by Md. Code, Local Government Article (“LG”), Title 22. The bill also describes the topics to be addressed in the report, establishes a final submission deadline of 180 after enactment, and requires interim publication for a period of at least 30 days in which to seek public comment before final submission.

The City Council has the power to investigate “in furtherance of its legislative function,” 4 McQuillin Mun. Corp. § 13:7, and it may “pass any ordinance, not inconsistent with the provisions of [the City] Charter or the laws of the State . . . as it may deem proper in maintaining the peace, good government, health and welfare of Baltimore City,” City Charter, Art. II, § (47). Moreover, Section 2(a) of Article VII of the Charter allows for ordinances to give additional duties to “a department, officer, commission, board or other municipal agency” so long as those duties are “consistent with the Charter and subject to the supervision of a superior municipal officer or agency.” Charter, Art. VII, § 2(a).

Accordingly, it is within the power of the City Council to require the designated agencies to conduct the study and report on creating a local climate resilience authority, and the Law Department approves the bill for form and legal sufficiency. Any local climate resilience authority established by the City must comply with the State enabling legislation in LG, Title 22.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jeffrey Hochstetler', written over a light blue horizontal line.

Jeffrey Hochstetler  
Chief Solicitor

cc: Ebony Thompson, Acting City Solicitor  
Nina Themelis, Mayor's Office of Government Relations  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Hilary Ruley, Chief Solicitor  
Ashlea Brown, Chief Solicitor  
Michelle Toth, Special Solicitor  
Teresa Cummings, Assistant Solicitor