
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW

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April 7, 2021

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 21-0034R – Investigative Hearing- Baltimore City Broadband
Expansion

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 21-0034R for form and legal sufficiency. The resolution is for the purpose of inviting representatives of the Department of Finance, the Comptroller, Baltimore City Information Technology, the Law Department, the Department of Transportation, and other relevant parties to discuss and present multiple options for broadband and high-speed data access within the City of Baltimore. The bill requires discussion of the City's powers or limitations regarding broadband expansion with regard to State law as well as City contracts and franchises already in place and the possibility of creating a municipal broadband utility to assist citizens in their accessibility to broadband. It calls for discussing possible policy or legislative reforms, and any other relevant information of interest to the Baltimore City Council in order to bring Baltimore City's broadband infrastructure and technology into the 21st Century.

In general, a City Council resolution is "an expression of opinion or mind concerning some particular item of business coming within the legislative body's official cognizance." *Inlet Assocs. v. Assateague House Condominium Assoc.*, 545 A.2d 1296, 1303 (Md. 1988) (quoting *McQuillin Mun. Corp.* § 15:2 (3rd Ed.)). Council Bill 21-0032R is an appropriate resolution to engage in discussion about the City's powers or limitations regarding broadband expansion, the possibility of creating a municipal broadband utility, possible policy or legislative reforms and any other relevant information of interest to the City Council.

Accordingly, the Law Department approves Council Bill 21-0034R for form and legal sufficiency as it is a valid method of conveying City Council's desires regarding this matter.

Sincerely,

Victor K. Tervala

Victor K. Tervala
Chief Solicitor

cc: James L. Shea, City Solicitor
Nina Themelis, Mayor's Office of Government Relations
Nikki Thompson, Director of Legislative Affairs
Matthew Stegman, Director of Fiscal and Legislative Services
Elena DiPietro, Chief Solicitor, General Counsel Division
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Ashlea Brown, Assistant Solicitor
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