

CITY OF BALTIMORE  
RESOLUTION **20-25**  
Council Bill 19-0379  
(Charter Amendment)

Introduced by: Councilmembers Henry, Dorsey, Cohen, Reisinger, Clarke, Costello, Ex Officio  
President Middleton, Councilmembers Stokes, Bullock, Pinkett, Schleifer, Sneed, Burnett,  
Scott

Introduced and read first time: April 29, 2019

Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: June 22, 2020

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING**

**Charter Amendment – Ordinance of Estimates**

FOR the purpose of authorizing the City Council to amend the Ordinance of Estimates to increase items of appropriation or add items for new purposes, subject to certain limitations; ~~deleting the requirement that supplementary appropriations be recommended by the Board of Estimates;~~ correcting, clarifying, and conforming related provisions; and submitting this amendment to the qualified voters of the City for adoption or rejection.

BY proposing to amend  
Article VI - Board of Estimates  
Section(s) 7(a), 7(b), and 8(b)  
Baltimore City Charter  
(1996 Edition)

**SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the City Charter is proposed to be amended to read as follows:

**Baltimore City Charter**

**Article VI. Board of Estimates**

**§ 7. Enactment of Ordinance of Estimates.**

(a) *Introduction; authorized cuts.*

(1) [Upon] ON receipt of the proposed Ordinance of Estimates and the accompanying materials, the President of the City Council shall promptly cause it to be introduced in the City Council, and the Council shall [thereafter] hold public hearings on the proposed Ordinance of Estimates.

(2) By a majority vote of its members, the City Council may reduce or eliminate any of the amounts in the proposed Ordinance of Estimates, except:

EXPLANATION: Underlining indicates matter added by amendment.  
~~Strike-out~~ indicates matter stricken by amendment.



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1 (I) [(1)] amounts fixed by STATE OR FEDERAL law;

2 (II) [(2)] amounts for the Fire Department established by a board of arbitration and  
3 included in the proposed Ordinance of Estimates; and

4 (III) [(3)] amounts for the payment of the interest and principal of the municipal  
5 debt.

6 (b) *Increases and additions [precluded].*

7 (1) [The] EXCEPT AS PROVIDED IN THIS SUBSECTION, THE City Council [shall] DOES not  
8 have the power to increase the amounts fixed by the Board or to [insert] ADD any  
9 amount for any new purpose in the proposed Ordinance of Estimates.

10 ~~(2) BY A MAJORITY VOTE OF ITS MEMBERS, THE CITY COUNCIL MAY INCREASE ITEMS OF~~  
11 ~~APPROPRIATION OR ADD ITEMS FOR NEW PURPOSES IN AN AGGREGATE AMOUNT THAT~~  
12 ~~DOES NOT EXCEED THE AGGREGATE AMOUNT BY WHICH THE CITY COUNCIL HAS~~  
13 ~~REDUCED OR ELIMINATED FROM THE ORDINANCE OF ESTIMATES UNDER SUBSECTION~~  
14 ~~(A) OF THIS SECTION. IN NO EVENT MAY THE TOTAL AMOUNT OF THE OPERATING~~  
15 ~~BUDGET OR THE CAPITAL BUDGET, AS AMENDED BY THE CITY COUNCIL, EXCEED THE~~  
16 ~~TOTAL AMOUNT OF THE OPERATING BUDGET OR CAPITAL BUDGET, RESPECTIVELY, AS~~  
17 ~~PROPOSED BY THE BOARD OF ESTIMATES.~~

18 (2) (I) BY A MAJORITY VOTE OF ITS MEMBERS, THE CITY COUNCIL MAY INCREASE ITEMS  
19 OF APPROPRIATION WITHIN THE GENERAL FUND OR ADD ITEMS WITHIN THE  
20 GENERAL FUND FOR NEW PURPOSES PROVIDED THAT:

21 (A) THE AGGREGATE AMOUNT OF THE INCREASE DOES NOT EXCEED THE  
22 AGGREGATE AMOUNT BY WHICH THE CITY COUNCIL HAS REDUCED OR  
23 ELIMINATED FROM THE ORDINANCE OF ESTIMATES UNDER SUBSECTION (A)  
24 OF THIS SECTION;

25 (B) THE INCREASES AUTHORIZED BY THIS SUBSECTION DO NOT DERIVE FROM  
26 THE REDUCTION OR ELIMINATION OF REVENUE, WHICH BY LAW, CONTRACT,  
27 OR REGULATION MUST BE USED TO SUPPORT APPROPRIATIONS FOR SPECIFIC  
28 PURPOSES; AND

29 (C) AN ITEM ADDED FOR A NEW PURPOSE IS OR WILL BE AUTHORIZED BY  
30 LEGISLATION SEPARATE AND APART FROM THE ORDINANCE OF ESTIMATES.

31 (II) IN NO EVENT, HOWEVER, MAY:

32 (A) THE TOTAL AMOUNT OF THE OPERATING BUDGET OR THE CAPITAL  
33 BUDGET, AS AMENDED BY THE CITY COUNCIL, EXCEED THE TOTAL  
34 AMOUNT OF THE OPERATING BUDGET OR CAPITAL BUDGET,  
35 RESPECTIVELY, AS PROPOSED BY THE BOARD OF ESTIMATES; OR

36 (B) ANY INCREASE OR ADDITION BE MADE TO OR FOR ANY ITEM DESCRIBED IN  
37 SUBSECTION (A)(2)(I), (II), OR (III) OF THIS SECTION.



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1 (3) If the carrying out of a particular program, purpose, activity, or project depends  
2 [upon] ON action by a body other than the City, the City Council may insert a specific  
3 provision in the proposed Ordinance of Estimates making the appropriation for the  
4 particular program, purpose, activity, or project contingent [upon such] ON THAT  
5 action.

6 § 8. Deficiencies; supplementary appropriations.

7 (b) *Supplementary appropriations — when authorized.*

8 (1) Except as provided herein, the Ordinance of Estimates shall include all the moneys to  
9 be appropriated by the City for all purposes for the fiscal year for which the ordinance  
10 is applicable.

11 (2) Additional appropriations [shall be] ARE permitted during the fiscal year only in the  
12 following circumstances and under the following conditions:

13 (I) [(1)] *Excess revenues.*

14 Revenues from any source other than the full rate property tax and other taxes  
15 imposed under the authority of Article II, in excess of or in addition to those relied  
16 [upon] ON by the Board of Estimates in determining the tax levy required to  
17 balance the budget, may be made available for expenditure by the municipal  
18 agency responsible for the production of [such] THOSE revenues by a  
19 supplementary appropriation ordinance [recommended to the City Council by the  
20 Board of Estimates,] duly passed by the City Council by a majority vote of its  
21 members and approved by the Mayor.

22 (II) [(2)] *Unanticipated grants.*

23 Grants from private or governmental sources [which] THAT could not be expected  
24 with reasonable certainty at the time of the formulation of the proposed Ordinance  
25 of Estimates may be made available to the appropriate municipal agency for  
26 expenditure by a supplementary appropriation ordinance [recommended to the  
27 City Council by the Board of Estimates,] duly passed by the City Council by a  
28 majority vote of its members and approved by the Mayor.

29 (III) [(3)] *Material changes; new programs.*

30 Further appropriations for programs included in the proposed Ordinance of  
31 Estimates made necessary by a material change in circumstances, or additional  
32 appropriations for new programs [which] THAT could not reasonably be  
33 anticipated at the time of the formulation of the proposed Ordinance of Estimates  
34 may be made available to the appropriate municipal agency for expenditure by a  
35 supplementary appropriation ordinance [recommended to the City Council by the  
36 Board of Estimates,] duly passed by the City Council by a vote of three-fourths of  
37 its members and approved by the Mayor.

38 SECTION 2. AND BE IT FURTHER RESOLVED, That this amendment to the City Charter shall  
39 become effective on July 1, 2022.



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1 SECTION 23. AND BE IT FURTHER RESOLVED, That this proposed amendment to the City  
2 Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection,  
3 in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the  
4 City Solicitor.

Certified as duly passed this 6 day of July, 2020



\_\_\_\_\_  
President, Baltimore City Council

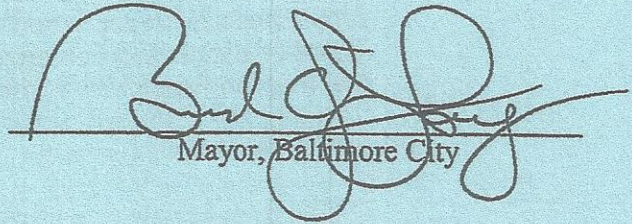
Certified as duly delivered to His Honor, the Mayor,

this 6 day of July, 2020




\_\_\_\_\_  
Chief Clerk

Approved this 27th day of July, 2020



\_\_\_\_\_  
Mayor, Baltimore City

Approved for form and legal sufficiency  
this 8th day of July, 2020.



\_\_\_\_\_  
Chief Solicitor

**ATRUE COPY**  
**Henry Raymond**  
**Director of Finance**