
CITY OF BALTIMORE

BRANDON M. SCOTT

Mayor



DEPARTMENT OF LAW

JAMES L. SHEA, CITY SOLICITOR

100 N. HOLLIDAY STREET

SUITE 101, CITY HALL

BALTIMORE, MD 21202

October 7, 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 21-0153 – Supplemental General Fund Operating Appropriation –
Mayoralty-Related: Employees’ Retirement Contribution – \$35,500,000

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 21-0153 for form and legal sufficiency. The bill provides a Supplementary General Fund Operating Appropriation in the amount of \$35,500,000 to the M-R: Employees’ Retirement Contribution - Service 355 (Employees’ Retirement Contribution), to provide funding for final costs related to the Fire and Police pension litigation; and providing for a special effective date.

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,

A handwritten signature in blue ink, appearing to read "Ashlea Brown".

Ashlea Brown
Chief Solicitor

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