
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
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December 11, 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 23-0452 – Supplementary General Fund Operating
Appropriation- M-R: Arts and Culture- \$581,334

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 23-0452 for form and legal sufficiency. The bill provides a Supplementary General Fund Operating Appropriation in the amount of \$581,334 to the M-R: Arts and Culture-Service 824 (Events: Art: Culture: and Film). The purpose of the bill is to provide funding for general operations and providing for a special effective date. The source of the funds is Transfer Tax revenue in excess of the revenue that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2024. The bill will take effect on the date it is enacted.

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, the City Council passes the bill, and the bill is then 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.

In compliance with the above requirements, the Law Department notes the Recitals of Council Bill 23-0452 which state that the bill was made necessary by a material change in circumstances or is for a new program, that could not have reasonably been anticipated at the time of the formulation of FY 2024 budget. The Recitals further state that the Board of Estimates recommended this appropriation to the City Council on November 1, 2023. Finally, the Recitals state that the revenue appropriated by this bill represents Transfer Tax revenue in excess of the

revenue amount that was relied upon by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2024.

Given the facts above and discussion, the Law Department approves this bill for form and legal sufficiency.

Very truly yours,



Teresa Epps Cummings

cc: Ebony M. Thompson, Acting City Solicitor
Stephen Salisbury, Deputy City Solicitor
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