

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor
101 City Hall
Baltimore, Maryland 21202

October 22, 2012

The Honorable President and Members
of the Baltimore City Council
Attn: Karen Randle, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 12-0150 - General Fund Appropriation Transfer –
\$1,551,566 – from Various City Agencies to the Fire Department (Program 602) –
\$657,566 and to M-R: Educational Grants (Program 446) – \$894,000

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 12-0150 for form and legal sufficiency. The bill authorizes the transfer of \$1,551,566, contained in the Fiscal 2013 Ordinance of Estimates as General Fund Operating Appropriations, from certain specified sources in certain specified amounts, to a certain Fire Department program and a certain Educational Grant program in certain specified amounts. The bill has an immediate effective date.

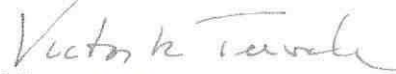
Article VI, § 9(a)(2) of the City Charter provides that, on recommendation of the Board of Estimates, the City Council by ordinance may authorize the transfer of an appropriation contained in the Ordinance of Estimates from one municipal agency to another municipal agency. Such a transfer is permitted under the City Charter only upon the recommendation of the Board of Estimates. *Id.* If the transfer would result in amounts for capital projects that differ from those started in the capital budget portion of the Ordinance of Estimates, the recommendation of the Board of Estimates must be based on the recommendations of the Planning Commission and the Director of Finance. *Id.*

The Law Department notes that, in compliance with City Charter requirements, the proposed transfer of funds was recommended by the Board of Estimates on August 8, 2012. Moreover, the transfer does not affect the amounts for capital projects stated in the capital budget portion of the Ordinance of Estimates. Under the City Charter, this fact allows the Board of Estimates to act even in the absence of a recommendation by the Planning Commission and the Director of Finance concerning the transfer of funds.

As there are no legal impediments to the passage of the above bill, the Law Department approves it for form and legal sufficiency.



Very truly yours,

A handwritten signature in cursive script, appearing to read "Victor K. Tervala".

Victor K. Tervala
Assistant Solicitor

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor
Hilary Ruley, Assistant Solicitor
Ashlea Brown, Assistant Solicitor