
CITY OF BALTIMORE

BRANDON M. SCOTT,
Mayor



DEPARTMENT OF LAW
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CITY SOLICITOR
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May 7, 2026

The Honorable President and Members
of the Baltimore City Council
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 26-0170 – Supplementary State Fund Operating Appropriation – Department
of Public Works – \$2,177,758

Dear President and City Council Members:

The Law Department reviewed City Council Bill 26-0170 for form and legal sufficiency. The bill provides a Supplementary State Fund Operating Appropriation in the amount of \$2,177,758 to the Department of Public Works – Service 673 (Wastewater Management), to provide funding for enhanced nutrient removal operations and maintenance activities at the Back River Wastewater Treatment Plant. The bill would take effect on its date of enactment. The award of funds is a one-year grant from the State of Maryland through the Maryland Department of the Environment that supports Enhanced Nutrient Removal (ENR) operations and maintenance activities at the Back River Wastewater Treatment Plant.

Council Bill 26-0170 identifies the revenue appropriated as “a grant from the Maryland Department of the Environment in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2026.” The grant could not have been expected with reasonable certainty at the time the Ordinance of Estimates for Fiscal Year 2026 was formulated, and the bill has been recommended by the Board of Estimates to the City Council. The Council bill cites as authority for the supplementary appropriation Section 8(b)(2)(ii) of Article VI of the City Charter. This section provides that grants from private or governmental sources that could not be expected with reasonable certainty at the time the Ordinance of Estimates was formulated may be made available to the appropriate municipal agency for expenditure.

A supplementary appropriation must be recommended by the Board of Estimates and approved by the Mayor and City Council via an ordinance. The ordinance must identify the source of the funds and may only involve a “single program, purpose, activity or project.” City Charter, Art. VI, § 8(c). Since the bill meets these requirements, the Law Department approves it for form and legal sufficiency.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Michele Toth".

Michele Toth
Assistant Solicitor

cc: Ebony Thompson
Council President Cohen
Ethan Hasiuk
Shamoyia Gardiner
Nina Themelis
Ty'lor Schnella
Aaron Degraffenreidt
Hilary Ruley
Jeff Hochstetler
Ashlea Brown
Desiree Luckey
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