

CITY OF BALTIMORE

SHEILA DIXON, Mayor



DEPARTMENT OF LAW

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

January 21, 2010

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 09-0397– Charter Amendment – Amending or  
Supplementing Ordinance of Estimates

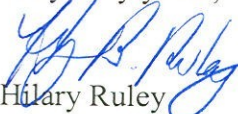
Dear Madame President and City Council Members:

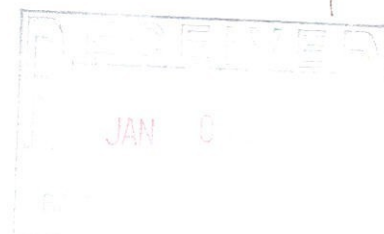
The Law Department has reviewed City Council Bill 09-0397 for form and legal sufficiency. The bill would change the language of Section 7, Article VI of the City Charter. It would authorize the Board of Estimates to deliver to the City Council “an amendment or supplement” to the Ordinance of Estimates, before final action on it is taken by the City Council. The amendments or supplements could only be for three purposes: 1) to correct an oversight; 2) to provide funds contingent on passage of pending legislation, or 3) to address an emergency. If the City Council consents to the amendments or supplements, they become part of the Ordinance of Estimates as an addition, modification or supplement.

This differs from the current practice because it allows the Board of Estimates to effectively make changes to the Ordinance of Estimates after having submitted it to the City Council. Currently, the Board of Estimates is required to submit its final version of the Ordinance of Estimates to the City Council. The City Council then acts upon that final version: approving it, or, by majority vote, reducing or eliminating any amounts proposed in the Ordinance of Estimates. If enacted and approved by the voters, this Charter amendment would provide for a mechanism to amend or supplement the Ordinance of Estimates in the forty days between when the Board of Estimates submits it to the City Council and the Council is required to act upon it.

Under Article XI-A, Section 5 of the Maryland Constitution, a resolution, such as City Council Bill 09-0397, is an appropriate method of initiating an amendment to the Baltimore City Charter. The Law Department, therefore, approves the bill for form and legal sufficiency.

Very truly yours,

  
Hilary Ruley  
Assistant Solicitor



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