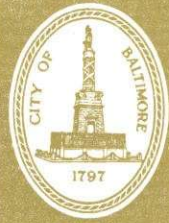


CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

April 10, 2014

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

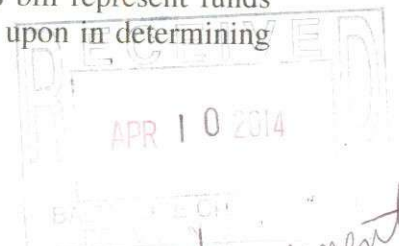
Re: City Council Bill 14-0346 – Supplementary General Fund Operating
Appropriation – MR: Mayor’s Office of Human Services - \$3,756,025.35

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 13-0346 for form and legal sufficiency. The bill provides a Supplementary General Fund Operating Appropriation in the amount of \$3,756,025.35 to the MR: Mayor’s Office of Human Services to provide funding for repayment of U.S. Department of Housing and Urban Development (HUD) funds as a result of audit findings regarding the Homeless Prevention and Rapid Re-Housing grant program. The bill has an immediate effective date.

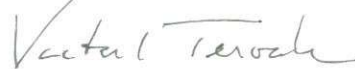
The City Charter establishes the circumstances that permit supplementary appropriations. Article VI, § 8(b)(3) provides for supplemental appropriations made necessary by a material change in circumstances, or by new programs which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates. This Charter provision permits such an ordinance to be passed only if the Board of Estimates recommends its adoption and the City Council passes the bill by three-fourths of its members and 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 provide the revenue necessary to pay the appropriation by source, other than the property tax.

In compliance with the above requirements, the Law Department notes the Recitals of Council Bill 14-0346 state that the bill was made necessary by a material change in circumstances, or by additional appropriations needed for new programs which could not reasonably be anticipated at the time of the formulation of FY 2014 budget. The Recitals further state that the Board of Estimates recommended this appropriation to the City Council on March 19, 2014. Finally, the Recitals state that the revenue appropriated by this bill represent funds from the General Fund assigned fund balance in excess of revenues relied upon in determining the tax levy.



Given the above facts and discussion, the Law Department will approve Council Bill 14-0346 as drafted if the City Council passes the bill by three-fourths of its members and the approves it.

Very truly yours,



Victor K. Tervala
Chief Solicitor

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief, Opinions & Advice
Hilary Ruley, Chief Solicitor
Jennifer Landis, Assistant Solicitor