
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
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May 5, 2025

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 25-0047 - Federal Fund Operating Appropriation – M-R
Office of Employment Development – Service 795 (Workforce Services for
Baltimore Residents) – \$206,822

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 25-0047 for form and legal sufficiency. The bill provides a Supplementary Federal Fund Operating Appropriation in the amount of \$206,822 to M-R Office of Employment Development – Service 795 (Workforce Services for Baltimore Residents) to provide funding for a Recovery-Friendly Workplace pilot (RFW) to educate the business community about the benefits of providing resources for employees struggling with substance use disorder, and for job seekers in recovery that have barriers to employment because of their previous struggles with substance use. The money for this supplementary appropriation is 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 2025. The bill would take effect on its date of enactment.

Section 8(b)(2)(ii) of Article VI of the City Charter permits a supplementary appropriation for unexpected grants “from private or governmental sources that could not expected with reasonable certainty at the time of the formation of the proposed Ordinance of Estimates” for the fiscal year. The 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).

The bill language states that this appropriation represents “federal funding from the Maryland Department of Health’s Office of Overdose Response”. The Board of Estimates agenda item for February 19, 2025, SB-24-13757 - FY25 Budget Supplemental for Grant Award - Maryland Office of Overdose Response (MOOR) Grant, states that the award is funding from the State. It is unclear whether the source of the funds is federal or state based on the language in the bill and the Board of Estimates agenda. The Law Department is awaiting clarification from the Department of Finance on the source of the funding, since the bill language is unclear. If the

funding source is state funding, the bill title should be amended to accurately reflect the funding source.

The Law Department also recommends amending the bill language to reflect that the funding is an unanticipated grant under Section 8(b)(2)(ii) of Article VI of the Baltimore City Charter. The Recitals section could state, “The revenue appropriated by this Ordinance represents a *grant* from the Maryland Department of Health’s Office of Overdose Response 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 2025. That *grant* could not have been expected with reasonable certainty when the Ordinance of Estimates for Fiscal Year 2025 was formulated.” Section 1 could state, “The source of revenue for this appropriation is the *grant* from the Maryland Department of Health’s Office of Overdose Response...”.

If the bill language is amended to properly identifies the source of the funding, there are no legal impediments to this bill and the Law Department can approve it for form and legal sufficiency.

Sincerely,



Desiree Luckey
Assistant Solicitor

cc: Ebony Thompson, City Solicitor
Hilary Ruley, Chief Solicitor
Jeff Hochstetler, Chief Solicitor
Ashlea Brown, Chief Solicitor
Michelle Toth, Assistant Solicitor