

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

August 20, 2013

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 13-0254 –General Fund Operating Appropriation  
Transfer –Transfer in the Aggregate Amount of \$1,470,000 from Various  
Agency Services to Various Agency Services

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 13-0254 for form and legal sufficiency. The bill provides a General Fund Operating Appropriation Transfer in the amount of \$1,470,000 from various agency services to others. The source of the funds is detailed in the bill. The bill has an immediate effective date.

The City Charter establishes a process for transferring an appropriation in the Ordinance of Estimates from one program to another, either within the same agency or to a different agency. City Charter, Art. VI, §9. Section 9(a)(2) of Article VI of the Charter permits such a transfer between agencies if it is recommended by the Board of Estimates and approved by the Mayor and City Council via an ordinance. Certain bill reports are required if the funds are for a capital expenditure, but there are no capital expenditures contemplated in these transfers. City Charter, Art. VI, §9(a)(2).

The Finance Department indicates that these transfers will fund several new employees' positions, including two Assistant State's Attorneys. This bill will serve as the requisite appropriation for the compensation of these employees. City Charter, Art. VI, §10(c). With respect to the State's Attorneys positions, the City Charter provides that those salaries must be set by the Board of Estimates at amounts not less than those required by the state Constitution. City Charter, Art. VI, §16.

Since this bill is the appropriate mechanism to effectuate the transfers, and assuming the State's Attorneys salaries meet Charter requirements, the Law Department can approve 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  
Victor Tervalá, Assistant Solicitor  
Jennifer Landis, Assistant Solicitor