
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW

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January 26, 2022

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 22-0187 – Supplementary General Fund Capital Appropriation –
Department of Transportation – \$18,000,000

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 22-0187 for form and legal sufficiency. The bill provides a Supplementary General Fund Capital Appropriation in the amount of \$18,000,000 to the Department of Transportation – Service 548 (Conduit Enterprise Fund), to provide funding to continue development, maintenance, and control of the miles of conduit ducts under Baltimore City which carry electrical, telephone and optic lines; and providing for a special effective date.

The City Charter establishes the criteria for making supplementary appropriations. City Charter, Art. VI, §8. Section 8(b)(3) of Article VI of the City Charter permits such a supplementary appropriation when there has been “a material change in circumstance or additional appropriations for new programs which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates” for the current Fiscal Year. The supplementary appropriation must be recommended by the Board of Estimates and must be approved by the Mayor and City Council via an ordinance, which must identify the source of the funds and may only encompass a “single program, purpose, activity or project.” City Charter, Art. VI, §8(c).

The bill as drafted appears reflects those requirements. The Law Department therefore is prepared to approve this bill for form and legal sufficiency, provided it is adopted by three-fourths of the councilmembers as required by City Charter, Article VI, §8(b)(3).

Sincerely,

Victor K. Tervala

Victor K. Tervala
Chief Solicitor

cc: James L. Shea, City Solicitor
Nina Themelis, Mayor’s Office of Government Relations

Nikki Thompson, Director of Legislative Affairs
Matthew Stegman, Director of Fiscal and Legislative Services
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Ashlea Brown, Assistant Solicitor