
CITY OF BALTIMORE

BRANDON M. SCOTT

Mayor



DEPARTMENT OF LAW

EBONY M. THOMPSON, CITY SOLICITOR

100 N. HOLLIDAY STREET

SUITE 101, CITY HALL

BALTIMORE, MD 21202

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 25-0046 - Supplementary State Fund Operating
Appropriation – Health Department (Service 723 - Advocacy for Seniors)
– \$90,236

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 25-0046 for form and legal sufficiency. The bill provides a Supplementary State Fund Operating Appropriation in the amount of \$90,236 to the Health Department (Service 723 – Advocacy for Seniors) to provide funding for assisting and guiding care givers of persons with dementia, building community awareness of dementia, and strengthening the ability of area agencies on aging to provide services to the growing number of Marylanders with ADRD and their family care givers. 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 Law Department 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 State of Maryland Department of Natural Resources Community Catalyst Fund 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 Aging...”.

The bill language could be amended to reflect that this is an unanticipated grant, but there are no legal impediments to this bill and the Law Department can approve it for form and legal sufficiency.

Sincerely,

A handwritten signature in black ink, appearing to read 'DLuckey', is positioned above the printed name.

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