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| **CITY OF BALTIMORE****BRANDON M. SCOTT,****Mayor** |  | **DEPARTMENT OF LAW****Ebony M. Thompson,** **Acting City Solicitor100 N. Holliday Street** **Suite 101, City HallBaltimore, MD 21202** |

February 20, 2023

Honorable President

Members of the City Council

c/o Natawna Austin, Executive Secretary

409 City Hall

Baltimore, MD 21202

Re: City Council Bill 23-334 Supplementary General Fund Capital Appropriation –Baltimore City Convention Center - $3,757,000

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 23-0334 for form and legal sufficiency. The bill provides for a Supplementary General Fund Operating Appropriation in the amount of $3,575,000-PRJ002747(East Building Escalator). The bill shall take effect on the date that it is enacted.

The City Charter establishes the criteria for making supplementary appropriations. City Charter, Art. VI, §8. Section 8(b)(2)(i) of Article VI of the City Charter permits such a supplementary appropriation to be made available to the appropriate municipal agency when funds become available that could not be expected with reasonable certainty at the time of the formulation of the proposed Ordinance of Estimates. 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 may only encompass a “single program, purpose, activity or project.” See Sec. 8(c). The bill provides that the source of revenue is funds from the Transfer Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2023. The Board of Estimates recommended approval of this bill to the City Council on December 21, 2022.

The bill meets all the requirements of the law. Accordingly, the Law Department approves this bill for form and legal sufficiency

 Sincerely yours,

 

 Elena R. DiPietro

 Chief Solicitor

cc: Ebony Thompson, City Solicitor

 Stephen Salsbury

 Matthew Bradford

 Nikki Thompson, President’s Office

 Nina Themelis, MOGR

 Hilary Ruley

 Jeff Hochstetler,

 Ashlea Brown

 Dereka Bolden

 Michele Toth

 Teresa Cummings

 Tim McGee