

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor

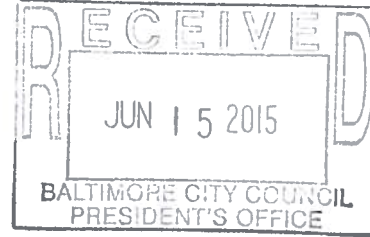


DEPARTMENT OF LAW

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

June 15, 2015

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 15-0538 – Supplementary General Fund Operating
Appropriation – Department of Transportation - \$6,500,000

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 15-0538 for form and legal sufficiency. The bill provides a Supplementary General Fund Operating Appropriation in the amount of \$6,500,000 to the Department of Transportation – Service 688 (Snow and Ice Control), to provide funding for additional operating expenses incurred during winter weather events. The bill has an immediate effective date.

The City Charter establishes the circumstances that permit supplementary appropriations. Article VI, § 8(b)(3) provides for supplemental appropriations made necessary by a material change in circumstances, or by new programs which could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates. This Charter provision permits such an ordinance to be passed only if the Board of Estimates recommends its adoption and the City Council passes the bill by three-fourths of its members and approved by the Mayor. City Charter Article VI, § 8(c) further requires that supplemental appropriations be embodied in a separate ordinance limited to a single purpose, program or activity. Section 8(c) also requires the bill to name the source of the revenue necessary to pay the appropriation, other than the property tax or taxes collected pursuant to Article II of the City Charter.

In compliance with the above requirements, the Law Department notes the Recitals of Council Bill 15-0538 state that the bill was made necessary by a material change in circumstances, or by additional appropriations needed for new programs which could not reasonably be anticipated at the time of the formulation of FY 2015 budget. The Recitals further state that the Board of Estimates recommended this appropriation to the City Council on May 27, 2015. Finally, the Recitals state that the revenue appropriated by this bill represents funds from the Income Tax Revenue in excess of revenues relied upon in determining the tax levy.

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Given the above facts and discussion, the Law Department will approve Council Bill 15-0538 as drafted if the City Council passes the bill by three-fourths of its members and the approves it.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Victor K. Tervala". The signature is fluid and cursive, with a prominent horizontal line across the middle.

Victor K. Tervala
Chief Solicitor

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief, Opinions & Advice
Hilary Ruley, Chief Solicitor
Jennifer Landis, Assistant Solicitor