CITY OF BALTIMORE
COUNCIL BILL 19-0379
(Resolution)
(Charter Amendment)

Introduced by: Councilmembers Henry, Dorsey, Cohen, Reisinger, Clarke, Costello, Ex Officio
President Middleton, Councilmembers Stokes, Bullock, Pinkett, Schleifer, Sneed, Burnett,
Scott
Introduced and read first time: April 29, 2019
Assigned to: Judiciary and Legislative Investigations Committee
REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance

A RESOLUTION ENTITLED

1   A RESOLUTION OF THE MAYOR AND CITY COUNCIL concerning

2   **Charter Amendment – Ordinance of Estimates**

3   FOR the purpose of authorizing the City Council to amend the Ordinance of Estimates to increase
4   items of appropriation or add items for new purposes, subject to certain limitations; deleting
5   the requirement that supplementary appropriations be recommended by the Board of
6   Estimates; correcting, clarifying, and conforming related provisions; and submitting this
7   amendment to the qualified voters of the City for adoption or rejection.

8   BY proposing to amend
9   Article VI - Board of Estimates
10   Section(s) 7(a), 7(b), and 8(b)
11   Baltimore City Charter
12   (1996 Edition)

13   **SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the
14   City Charter is proposed to be amended to read as follows:

15   **Baltimore City Charter**

16   **Article VI. Board of Estimates**

17   **§ 7. Enactment of Ordinance of Estimates.**

18   (a) *Introduction; authorized cuts.*

19   (1) [Upon] ON receipt of the proposed Ordinance of Estimates and the accompanying
20   materials, the President of the City Council shall promptly cause it to be introduced in
21   the City Council, and the Council shall [thereafter] hold public hearings on the
22   proposed Ordinance of Estimates.

23   (2) By a majority vote of its members, the City Council may reduce or eliminate any of
24   the amounts in the proposed Ordinance of Estimates, except:

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

1 (I) [(1)] amounts fixed by law;

2 (II) [(2)] amounts for the Fire Department established by a board of arbitration and
3 included in the proposed Ordinance of Estimates; and

4 (III) [(3)] amounts for the payment of the interest and principal of the municipal
5 debt.

6 (b) *Increases and additions* [*precluded*].

7 (1) [The] EXCEPT AS PROVIDED IN THIS SUBSECTION, THE City Council [shall] DOES not
8 have the power to increase the amounts fixed by the Board or to [insert] ADD any
9 amount for any new purpose in the proposed Ordinance of Estimates.

10 (2) BY A MAJORITY VOTE OF ITS MEMBERS, THE CITY COUNCIL MAY INCREASE ITEMS OF
11 APPROPRIATION OR ADD ITEMS FOR NEW PURPOSES IN AN AGGREGATE AMOUNT THAT
12 DOES NOT EXCEED THE AGGREGATE AMOUNT BY WHICH THE CITY COUNCIL HAS
13 REDUCED OR ELIMINATED FROM THE ORDINANCE OF ESTIMATES UNDER SUBSECTION
14 (A) OF THIS SECTION. IN NO EVENT MAY THE TOTAL AMOUNT OF THE OPERATING
15 BUDGET OR THE CAPITAL BUDGET, AS AMENDED BY THE CITY COUNCIL, EXCEED THE
16 TOTAL AMOUNT OF THE OPERATING BUDGET OR CAPITAL BUDGET, RESPECTIVELY, AS
17 PROPOSED BY THE BOARD OF ESTIMATES.

18 (3) If the carrying out of a particular program, purpose, activity, or project depends
19 [upon] ON action by a body other than the City, the City Council may insert a specific
20 provision in the proposed Ordinance of Estimates making the appropriation for the
21 particular program, purpose, activity, or project contingent [upon such] ON THAT
22 action.

23 **§ 8. Deficiencies; supplementary appropriations.**

24 (b) *Supplementary appropriations — when authorized.*

25 (1) Except as provided herein, the Ordinance of Estimates shall include all the moneys to
26 be appropriated by the City for all purposes for the fiscal year for which the ordinance
27 is applicable.

28 (2) Additional appropriations [shall be] ARE permitted during the fiscal year only in the
29 following circumstances and under the following conditions:

30 (I) [(1)] *Excess revenues.*

31 Revenues from any source other than the full rate property tax and other taxes
32 imposed under the authority of Article II, in excess of or in addition to those relied
33 [upon] ON by the Board of Estimates in determining the tax levy required to
34 balance the budget, may be made available for expenditure by the municipal
35 agency responsible for the production of [such] THOSE revenues by a
36 supplementary appropriation ordinance [recommended to the City Council by the

1	Board of Estimates,] duly passed by the City Council by a majority vote of its
2	members and approved by the Mayor.
3	(II) [(2)] *Unanticipated grants.*
4	Grants from private or governmental sources [which] THAT could not be expected
5	with reasonable certainty at the time of the formulation of the proposed Ordinance
6	of Estimates may be made available to the appropriate municipal agency for
7	expenditure by a supplementary appropriation ordinance [recommended to the
8	City Council by the Board of Estimates,] duly passed by the City Council by a
9	majority vote of its members and approved by the Mayor.
10	(III) [(3)] *Material changes; new programs.*
11	Further appropriations for programs included in the proposed Ordinance of
12	Estimates made necessary by a material change in circumstances, or additional
13	appropriations for new programs [which] THAT could not reasonably be
14	anticipated at the time of the formulation of the proposed Ordinance of Estimates
15	may be made available to the appropriate municipal agency for expenditure by a
16	supplementary appropriation ordinance [recommended to the City Council by the
17	Board of Estimates,] duly passed by the City Council by a vote of three-fourths of
18	its members and approved by the Mayor.

19   **SECTION 2. AND BE IT FURTHER RESOLVED**, That this proposed amendment to the City
20 Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection,
21 in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the
22 City Solicitor.