



Legislation Text

File #: 12-0113, **Version:** 0

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL
(Charter Amendment)

Introduced by: Councilmember Henry

A RESOLUTION ENTITLED

A RESOLUTION OF THE MAYOR AND CITY COUNCIL concerning

Charter Amendment - Ordinance of Estimates

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

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

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

Baltimore City Charter

Article VI. Board of Estimates

§ 7. Enactment of Ordinance of Estimates.

(a) Introduction; authorized cuts.

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

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

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

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

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

(b) Increases and additions [precluded].

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

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

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

§ 8. Deficiencies; supplementary appropriations.

(b) Supplementary appropriations - when authorized.

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

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

(I) [(1)] Excess revenues.

Revenues from any source other than the full rate property tax and other taxes imposed under the authority of Article II, in excess of or in addition to those relied [upon] ON by the Board of Estimates in determining the tax levy required to balance the budget, may be made available for expenditure by the municipal agency responsible for the production of [such] THOSE revenues by a supplementary appropriation ordinance [recommended to the City Council by the Board of Estimates,] duly passed by the City Council by a majority vote of its members and approved by the Mayor.

(II) [(2)] Unanticipated grants.

Grants from private or governmental sources [which] THAT could not be expected with reasonable certainty at the time of the formulation of the proposed Ordinance of Estimates may be made available to the appropriate municipal agency for expenditure by a supplementary appropriation ordinance [recommended to the City Council by the Board of Estimates,] duly passed by the City Council by a majority vote of its members and approved by the Mayor.

(III) [(3)] Material changes; new programs.

Further appropriations for programs included in the proposed Ordinance of Estimates made necessary by a material change in circumstances, or additional appropriations for new programs [which] THAT could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates may be made available to the appropriate municipal agency for expenditure by a supplementary appropriation ordinance [recommended to the City Council by the Board of Estimates,] duly passed by the City Council by a vote of three-fourths of its members and approved by the Mayor.

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

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