



TO: Board of Estimates, Office of Comptroller
FROM: AGC4309 - M-R Office of Children and Family Success
DATE: 08/04/2023
SUBJECT: MOCFS - Governmental/Charitable solicitation waiver

ACTION REQUESTED OF BOARD OF ESTIMATES:

The Board is requested to approve a Governmental Charitable Solicitation Application.

PERIOD OF CONTRACT/AGREEMENT: Based on Board Approval

AMOUNT AND SOURCE OF FUNDS:

Transaction Amount: \$ 0.00

Project Fund Amount

BACKGROUND/EXPLANATION:

The Mayor’s Back to School Pep Rally will be held in August 2023. The specific date and location will be determined. This event has been held for over a decade and will feature community

resources, health and wellness screenings, exhibitors, music, motivational speeches, and more to invigorate students and their parents with the tools needed to prepare for a successful school year. Baltimore City Code Article 8, Section 6-26, prohibits solicitation or facilitating the solicitation of a gift. An exception was enacted in 2005 to permit certain solicitations that are for the benefit of an official governmental program or activity, or a City-endorsed charitable function or activity. Ethics Regulation 96.26B sets out the standards for approval, which include the requirement that the program, function, or activity to be benefited, and the proposed solicitation campaign must be endorsed by the Board of Estimates or its designee.

COUNCIL DISTRICT: Citywide

EMPLOY BALTIMORE:	LIVING WAGE:	LOCAL HIRING:	PREVAILING WAGE:
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N/A	N/A	N/A	N/A
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1% FOR PUBLIC ART: N/A.

ENDORSEMENTS:

{CLERKDATESIGNATURE}{DATE}

Law has reviewed and approved for form and legal sufficiency

MCAmato
Clerk, Board of Estimates

8/2/2023



BALTIMORE CITY ETHICS BOARD
 635 City Hall, Baltimore, Maryland 21202
 Phone: 410-396-7986
 Email: ethics@baltimorecity.gov

Date Received: MER 7/14/2023

GOVERNMENTAL/CHARITABLE GIFT SOLICITATION WAIVER – APPLICATION FOR APPROVAL

Name of Benefitted Program/Charity:

Mayor's Office of Children and Family Success (MOCFS) Mayor's Back to School Rally

PART A. SPONSORING AGENCY.

Agency Name: Mayor's Office of Children and Family Success

Contact Person/Coordinator: Noell Lugay

Address: 100 Holliday Street. Suite #345 Baltimore, Maryland 21202

Phone: 443.202.1508

Email: noell.lugay@baltimorecity.gov

PART B. PURPOSE OF PROPOSED SOLICITATION.

I. Identify the specific governmental or charitable program, function, or activity for which solicitations will be made.

The charitable function for which solicitations will be made are for Mayor Scott's annual Back-to-School Rally.

II. Describe the specific purposes to which contributions and other receipts will be applied.

The specific purposes to which the contributions and other receipts that will be applied relate to the expenditures of the school supplies that will be given out to over 4K children and families in preparation for the 2023-2024 school year.

During the day long "rally event" over four-thousand families will be supplied with free food, giveaways, educational materials and a day of entertainment by local artists and youth influencers.

III. Select the appropriate range for the aggregate value of the contributions sought:

- \$500,000 or more
- Between \$150,000 and \$500,000
- Between \$50,000 and \$150,000
- Between \$5,000 and \$50,000
- Less than \$5,000

PART C. WHEN AND HOW SOLICITATION TO BE CONDUCTED.

I. Proposed starting date of solicitation efforts: July 17th 2023

II. Proposed ending date of solicitation efforts: August 18th 2023

III. Describe the categories of persons to be solicited and by whom and how those solicitations will be made.

Corporations, Charitable Foundation, Individuals, Non-profits will all be solicited and managed by the Baltimore Civic Fund.

BGE, Comcast, Family League, Wal-Mart, Amazon, Verizon, CVS, Chic-fil-A

Annie E Casey, The Fund, University of Maryland, Johns Hopkins, MICA, Orioles, Ravens, Bloomberg Philanthropies, Under Armour

IV. Identify all *public servants* and other individuals at the request of the *sponsoring agency* who will solicit contributions.

The Honorable Mayor Brandon M. Scott, Marvin James, Alexandra Smith, Council Vice-President Sharon Green-Middleton, Councilman Robert Stokes, Councilman James Torrence, Rashad Singletary, Stephanie Mavronis, Angela Whitaker, Shannon Burroughs-Campbell, Dr. Debra Y. Brooks, Christopher Quintyne, Noell Lugay, Kristina Gilchrist

V. Describe measures to be taken to ensure that the solicitation (i) will be directed at a broad range of donors and (ii) will not specially target *controlled donors*.

Solicitations of donations from the general public via social media and the Qgiv online platform hosted and managed by the Baltimore Civic Fund. All donations collected via the Back to School Qgiv page will be used for the event only. Unused funds will be carried over for Back to School 2024.

VI. Describe measures to be taken to avoid any suggestion that contributors might receive special access or favored treatment from any *agency* or *public servant* of the City.

Agency will make sure that messaging is clear in solicitation and that donations are for charitable purposes only.

PART D. FISCAL SPONSOR (PERSON RESPONSIBLE FOR CUSTODY, ACCOUNTING, AND DISTRIBUTION OF DONATIONS)

NOTE: The *fiscal sponsor* may not be an individual employed by the *sponsoring agency*.

Entity Name: Baltimore Civic Fund

Contact Person: PhilSmith

Address: 1 N. Charles Street, Suite 1600
Baltimore, MD 21201

Phone: 443-469-1415

Email: phil@baltimorecivicfund.org

I. Disclose the person or persons within the distributing entity who will be responsible for fund distribution and accounting.

The Baltimore Civic Fund's Chief Operations Officer is responsible for fund distribution and accounting, supported by the Civic Fund finance team and an outside CPA firm. The Civic Fund maintains a web-based accounting system which is accessible by the President, the COO, the finance team, and the CPA firm. The Partnership Managers are able to view the information, but not make edits. The Civic Fund's Partnership Managers are responsible for reviewing and approving all disbursements and providing reports and other information about program account use.

II. Describe how the funds will be held pending distributions, e.g., held in a trust or other dedicated account, in a general account, co-mingled with other funds, etc.

The Baltimore Civic Fund monitors incoming deposits daily and assigns individual funding codes to each source upon receipt. All funding is held in a general operating account but differentiated by funding code. A master list of funding codes matched to program accounts is held and updated by the COO and the Director of Partnerships. Funding codes apply to all funding types: donations, grants, public funds, philanthropic funds.

III. What measures will be taken by the distributing entity to ensure that the donations will actually be used for the intended purpose?

The Baltimore Civic Fund keeps records of all supporting documentation related to a program's scope of work and funding sources. All disbursements are initiated by a payment request form completed by City agency staff and signed by the agency's authorized signatory (Agency Director or designated staff). Partnership Managers review payment requests to ensure the request fits within the scope of work for the program as well as within any fiduciary restrictions. Requests are denied if they do not align with the program purpose or if relevant restrictions exist on the funding source. Agencies have an opportunity to amend the request if applicable.

IV. What measures are in place to account for the donations? In the event that donations exceed the charitable need, please state how the additional funds will be allocated or dispersed.

Donations are collected (1) by a web-based donation site and directly deposited into the general account; (2) by check received by mail and deposited into the general account; or (3) by ACH in the general account. All supporting documentation is uploaded into the web-based accounting system and saved with program files. Donors who use the web-based donation site receive an automated acknowledgement email. Donations by other means may be acknowledged by a gift letter from Civic Fund. Donations receive a funding code for tracking purposes. Donations remain in the program's account to be used in accordance with the scope of the program and the purpose of the donation unless otherwise directed by the donor. Once the charitable need is reached, the web-based donation site link will be turned off.

V. Please provide details about the measures that will be taken by the distributing entity to ensure to ensure that *controlled donors* will not receive preferential treatment.

All disbursements require approval by the City agency's authorized signatory, as well as the Civic Fund's Partnership Managers, financial team, COO, and outside accounting firm. Sufficient supporting documentation and alignment with the program's scope of work and donation's restrictions are required. All disbursements are made in accordance with the IRS guidelines for nonprofits.

PART E. SIGNATURE AND AFFIRMATION .

Part E should be completed by the *sponsoring agency* upon completion of the application.

I, Debra Y. Brooks, Ed.D. [Name], on behalf of Mayor's Office Children & Family Success [Sponsoring Agency], affirm under the penalties of perjury that the contents of this application and all accompanying attachments are accurate to the best of my knowledge, information, and belief.

Dr. Debra Brooks

Digitally signed by Dr. Debra Brooks
DN: cn=Dr. Debra Brooks, o=Civic Fund, ou=Civic Fund, email=debra.brooks@cityofmiami.gov
Reason: I am the author of this document
Location:
Date: 2023.07.13 20:34:04.00

7/13/2023

Signature

Date

PART F. CITY ENDORSEMENT [ONLY TO BE COMPLETED BY BOE OR DESIGNEE].

Part F should only be completed by the Board of Estimates or its designee(s).

- Endorsed by the Board of Estimates
- Endorsed by the Designee of the Board of Estimates:



8/2/2023

Clerk Signature

Date