



TO: Board of Estimates, Office of Comptroller

FROM: AGC4301 - Mayoralty

DATE: 11/08/2023

Submission #: SB-23-13594

SUBJECT: Mayor Brandon M. Scott - Toys for Tots Drive

ACTION REQUESTED OF BOARD OF ESTIMATES:

The Board is requested to approve a Governmental/Charitable Solicitation Application for Mayor Brandon M. Scott - Toys for Tots Drive.

PERIOD OF CONTRACT/AGREEMENT: Based on Board Approval
10/20/2023 / to 12/30/2023

AMOUNT AND SOURCE OF FUNDS:

Transaction Amount: \$ 0.00

Project Fund Amount

BACKGROUND/EXPLANATION:

The Mayor's Toys for Tots Drive will run late October 2023 through December 2023. Specific collection dates to be determined. For more than 70 years, Toys for Tots run by the U.S. Marine Corps Reserve has provided happiness and hope to disadvantaged children during each holiday season with toys, books and other gifts. During the City Hall Tree Lighting, guests will bring their toy donations while enjoying holiday festivities, music and light refreshments and the U.S. Marines will attend to pick up the toy donations. The anticipated funds will be between \$5,000-\$50,000 to be used for purchasing toys and books as gifts.

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 includes 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.

MBE / WBE Participation not required / Not applicable to charitable solicitation applications.

COUNCIL DISTRICT: Citywide

EMPLOY BALTIMORE: **LIVING WAGE:** **LOCAL HIRING:** **PREVAILING WAGE:**

N/A

N/A

N/A

N/A

1% FOR PUBLIC ART:

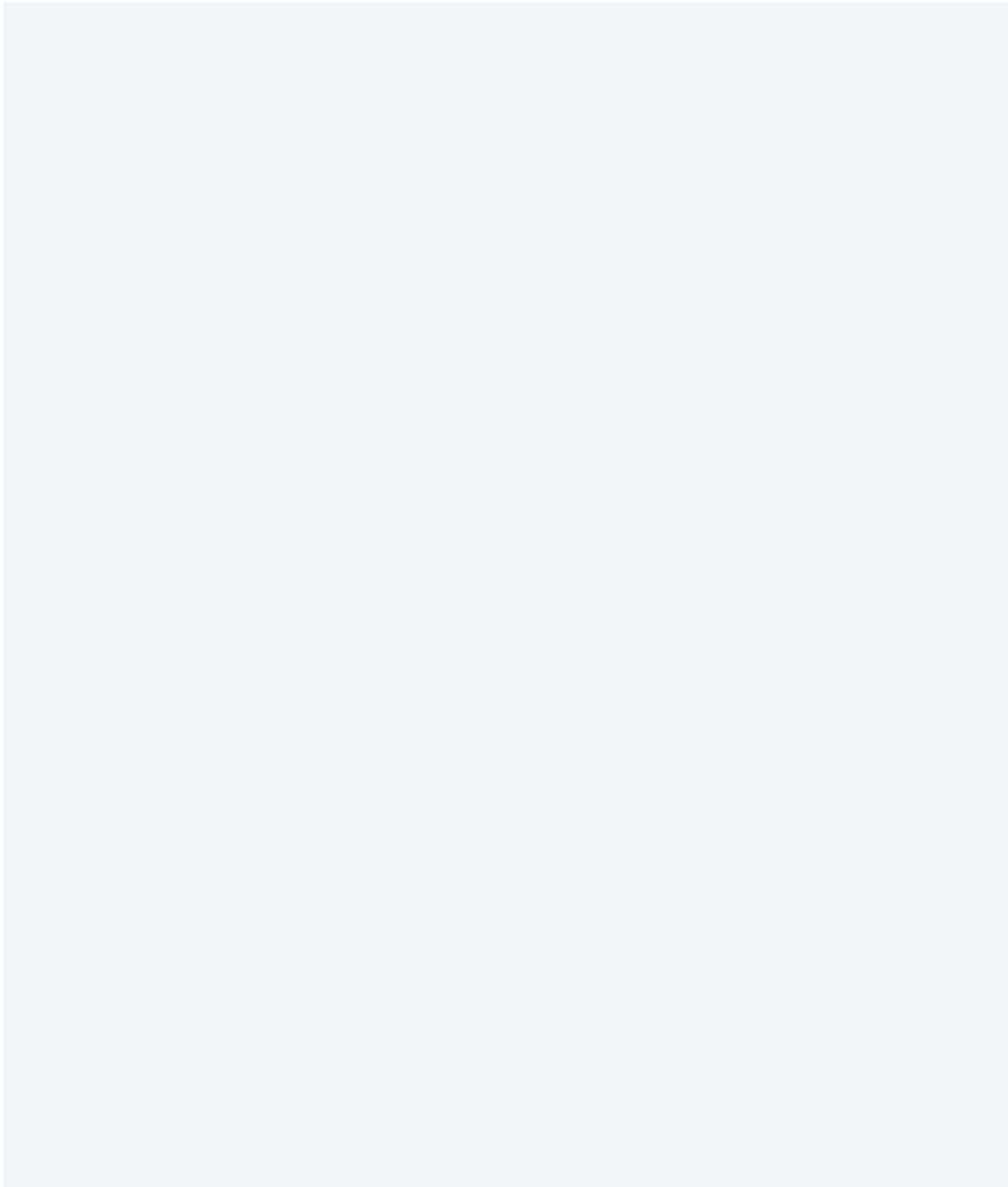
N/A.

ENDORSEMENTS:



Clerk, Board of Estimates

11-01-2023





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

Date Received: **MER** 11/7/2023
(Amendment
Received:
11/14/2023)

GOVERNMENTAL/CHARITABLE GIFT SOLICITATION WAIVER – APPLICATION FOR APPROVAL

Name of Benefitted Program/Charity:

Mayor Brandon M. Scott's Toys for Tots Drive

PART A. SPONSORING AGENCY.

Agency Name: Mayor's Office

Contact Person/Coordinator: Marva Williams

Address: City Hall, Rm 250

Phone: 443-615-3363

Email: marvad.williams@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.

Mayor Brandon M. Scott's Toys for Tots Drive

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

To cover the costs to purchase toys, games and books.

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: 10/20/2023

II. Proposed ending date of solicitation efforts: 12/30/2023

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

Business, community and non-profit organizations via emails, letters, phone calls and meetings

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

Marva Williams

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*.

Marva Williams will solicit businesses and non-profits to raise funds specifically for this event.

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.

The function and the operation of the office does not provide the opportunity to make decisions for favored treatment from public agencies or events. No favoritism or special treatment will be given to any donors or businesses solicited.



BRANDON M. SCOTT
MAYOR

*100 Holliday Street, Room 250
Baltimore, Maryland 21202*

TO: Baltimore City Board of Ethics
DATE: November 14, 2023
FROM: Marva Williams, Special Assistant
RE: Amendments to GOVERNMENTAL/CHARITABLE GIFT SOLICITATION WAIVER
APPLICATION

As requested by the Ethics Board, this is the amendment to:

PART C.

III.

City eblasts will be sent encouraging City of Baltimore employees to support the toy drive with donations of toys, books and games. There will not be solicitations to businesses or organizations for any financial support.

V.

Businesses and organizations will not be solicited for monetary donations. Toy collection boxes will be placed in city government buildings for supporters to drop in toys, books and games for in-kind donations. There will not be solicitations for any financial support.

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: Christina Gatto, Senior Partnership Manager

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

Phone: (443) 326-8176

Email: christina@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 acknowledgment 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 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.

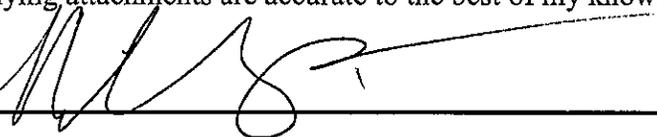
All disbursements require approval by the City agency's authorized signatory, as well as the Civic Fund's Partnership Managers, financial team, COO, and outside accounting firm. Sufficient supporting documentation and alignment with the program's scope of work and donation's restrictions are required. 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, Marva Williams [Name], on behalf of Mayor's Office

[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.

Signature  Date 10/4/2023

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:

Clerk Signature

Date