



TO: Board of Estimates, Office of Comptroller
FROM: AGC1000 - City Council
DATE: 10/06/2023
SUBJECT: Government/Charitable Solicitation Waiver Request for Council President Nick J. Mosby's Third Annual Holiday Toy Drive

ACTION REQUESTED OF BOARD OF ESTIMATES:

The Board is requested to approve a Application Council President Nick Mosby's Third Annual Holiday Toy Drive.

PERIOD OF CONTRACT/AGREEMENT: 10/04/2023 to 12/31/2023

AMOUNT AND SOURCE OF FUNDS:

Transaction Amount: \$ 0.00

Project Fund Amount

BACKGROUND/EXPLANATION:

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Baltimore City Council President Nick J. Mosby wishes to carry on the tradition of City Council Presidents supporting a Holiday Toy Drive for Baltimore City families. His office proposes to partner with Associated Black Charities as the Fiscal Sponsor for a successful toy drive that will benefit families all around Baltimore City. The dates and methods for distribution of the toys are not yet finalized. Baltimore City Code Article 8, Section 6-26 generally prohibits solicitation of gifts, but the Board of Ethics regulations provides an exception to that general prohibition. That exception applies when the solicitation benefits an official government program or activity, or a City-endorsed charitable function or activity that has been pre-approved by the Ethics Board. Those conditions are laid out at Ethics Regulation 96.26B including a requirement that the proposed solicitation campaign be endorsed by the Board of Estimates prior to public servants engaging in any solicitations.

Donations will be solicited from businesses, civic leaders, corporate entities, faith-based institutions, and the general population in the Baltimore region, the state of Maryland generally, and nationwide. A potential donor list will be comprised of individuals, organizations, businesses, and foundations who want to support Baltimore City youth and their families.

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

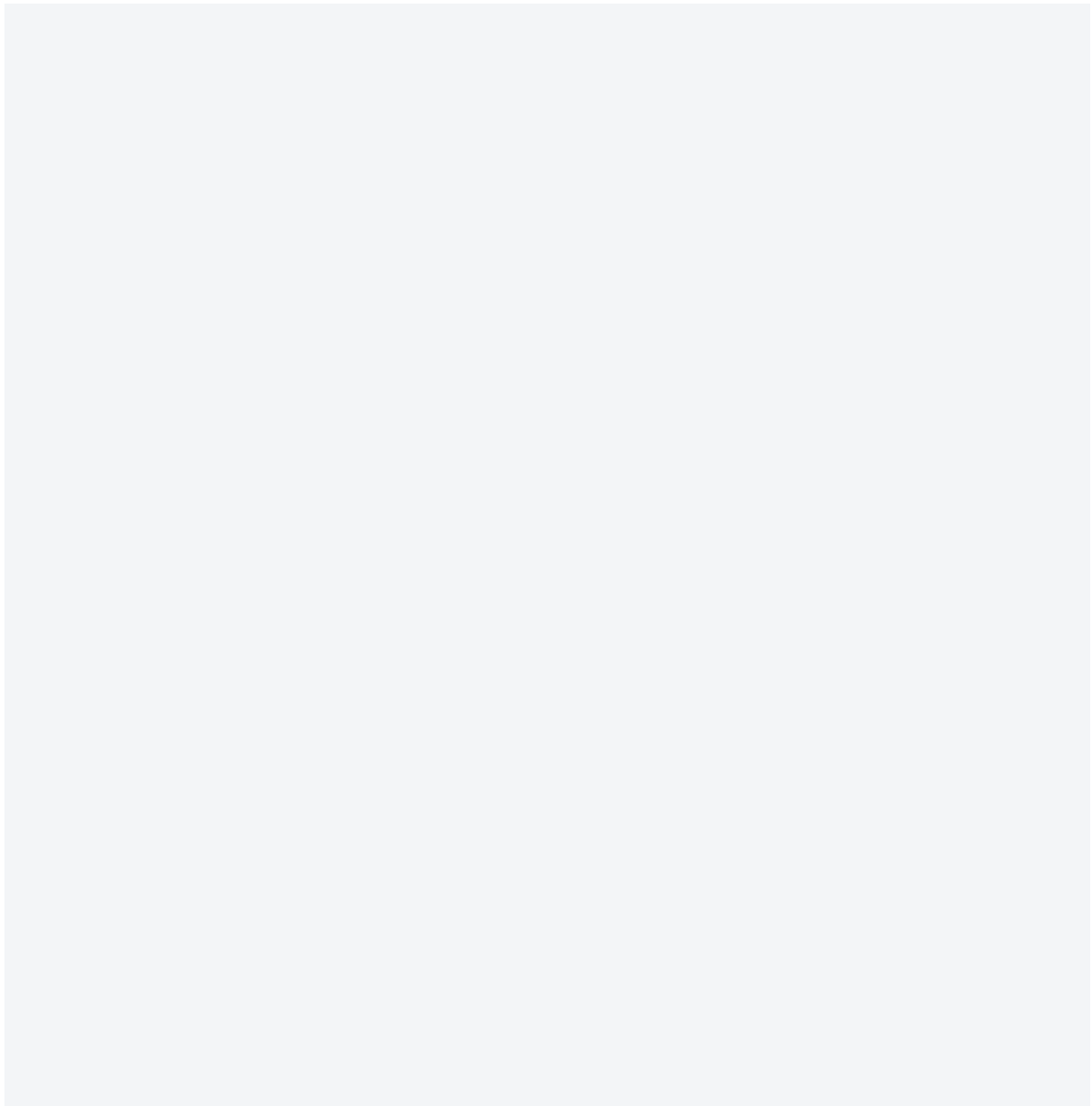
1% FOR PUBLIC ART: N/A.

ENDORSEMENTS:



Clerk, Board of Estimates

10-04-2023





TO: Board of Estimates, Office of the Comptroller

FROM: Council President Nick J. Mosby
SUBMITTING AGENCY: City Council President's Office
DATE: September 19, 2023

SUBJECT: GOVERNMENTAL/CHARITABLE SOLICITATION APPLICATION: CITY COUNCIL PRESIDENT NICK J. MOSBY'S THIRD ANNUAL HOLIDAY TOY DRIVE

CONTRACT/GRANT NUMBER: N/A

ACTION REQUESTED OF B/E:

The Board is requested to endorse a Government/Charitable Solicitation Application for submission to the Board of Ethics of Baltimore to City to allow the Baltimore City Council President's Office to solicit donations of gifts, goods and services from individuals, organizations, businesses, and foundations to support City Council President Nick Mosby's Third Annual Holiday Toy Drive. The period of the campaign, pending BOE and Board of Ethics approval, will be effective from the date of approval from the Board of Ethics to December 31, 2023.

PERIOD OF CONTRACT/AGREEMENT: The period of the campaign, pending BOE and Board of Ethics approval, will be effective from the date of approval from the Board of Ethics to December 31, 2023.

AMOUNT OF MONEY AND SOURCE: No General Funds are involved in this transaction.

BACKGROUND/EXPLANATION:

Baltimore City Council President Nick J. Mosby wishes to carry on the tradition of City Council Presidents supporting a Holiday Toy Drive for Baltimore City families. His office proposes to partner with Associated Black Charities as the Fiscal Sponsor for a successful toy drive that will benefit families all around Baltimore City. The dates and methods for distribution of the toys are not yet finalized. Baltimore City Code Article 8, Section 6-26 generally prohibits solicitation of gifts, but the Board of Ethics regulations provides an exception to that general prohibition. That exception applies when the solicitation benefits an official government program or activity, or a City-endorsed charitable function or activity that has been pre-approved by the Ethics Board. Those conditions are laid out at Ethics Regulation 96.26B including a requirement that the proposed solicitation campaign be endorsed by the Board of Estimates prior to public servants engaging in any solicitations.

Donations will be solicited from businesses, civic leaders, corporate entities, faith-based institutions, and the general population in the Baltimore region, the state of Maryland generally, and nationwide. A potential donor list will be comprised of individuals, organizations, businesses, and foundations who want to support Baltimore City youth and their families.

MBE/WBE PARTICIPATION: N/A

AFFECTED COUNCIL DISTRICT: Citywide

EMPLOY BALTIMORE: N/A

LIVING WAGE: N/A

LOCAL HIRING: N/A

1% FOR PUBLIC ART: N/A

The headers below are for use by reviewing departments ONLY. Please leave them as blank spaces for official endorsements and signatures.

FINANCE HAS REVIEWED:

LAW DEPARTMENT HAS REVIEWED:

MWBOO HAS REVIEWED:

AUDITS HAS REVIEWED:

APPROVED BY THE BOARD OF ESTIMATES:



BALTIMORE CITY ETHICS BOARD

635 City Hall
100 N. Holliday Street
Baltimore, Maryland 21202
(410) 396-7986
ethics@baltimorecity.gov

**GOVERNMENTAL/CHARITABLE SOLICITATIONS –
APPLICATION FOR APPROVAL**

NAME OF BENEFITTED PROGRAM / CHARITY: City Council President Nick Mosby's Third Annual Holiday Toy Drive

PART A. SPONSORING AGENCY

Name Baltimore City Council President's Office

Address 100 N. Holliday Street, Ste. 400, Baltimore, MD 21202

Contact Person / Coordinator Aaron DeGraffenreidt

Telephone 443-615-0751

Email a.degraffenreidt@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 City Council President's Office will solicit in-kind and monetary donations for Council President Nick J. Mosby's Third Annual Holiday Toy Drive. The purpose will be to support Baltimore City youth and their families in the 2023 Holiday Season.

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

Monetary and in-kind donations will be applied to provide toys, games, and other gifts for children in the Holiday Season.

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. CITY ENDORSEMENT

By: Board of Estimates Designee of B/E: _____

Date and Manner of Endorsement: _____

Attach Copy of Written Endorsement

PART D. WHEN AND HOW SOLICITATION TO BE CONDUCTED

I. Proposed starting date of solicitation efforts: Immediately upon Board of Ethics approval

II. Proposed ending date of solicitation efforts: December 31, 2023

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

Staff from the Council President's Office will solicit a wide variety of individuals and corporations. They will solicit individuals and corporations who are situated in Baltimore City. All solcitations will be general in nature but staff from the Council President's Office will work to identify the most interested potential donors in order to maximize the potential for the event. They will deliver these soliciations by social media posts, individual direct solicitations, and general word of mouth.

IV. Identify all *public servants* who will be soliciting contributions

~~Office of the Baltimore City Council President staff: President Nick J. Mosby, Jr.; Lawrence Anderson; Derrick Greene; Candance Green; Aaron DeGraffenreidt; Hosea Chew; Skyy Dawkins; LaKeisha Johnson; Preston Lewis; Danelle Pinder; Jade Johnson; Nathan Pool; Syreeta Hubbard; Jeneffer Haslam; Tiffany Maclin; Shalik Fulton; Taylor Smith; Andrea Curely; Dexter Lockamey; Dwayne Adams; and Pamela Woodson~~

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*:

~~Potential donors will be solicited based on their history of participating in activities related to this specific campaign or that have contributed to or have interests in similar causes to impact positive change for Baltimore's youth. Most potential donors fitting this description are not controlled donors. However, those potential donors who are controlled will not be targeted or singled out in any way, and, if they received a solicitation, it will be in the same manner as any other potential donors.~~ +

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:

~~Donors will be made aware that their donation will be supporting Baltimore City youth and their families for the 2023 Holiday Season. The purpose of the funds will be made clear to those donating and donors will be informed that they will not gain any favors, special access, or favoritism with their donation.~~

PART E. Fiscal Sponsor PERSON RESPONSIBLE FOR CUSTODY, ACCOUNTING, AND DISTRIBUTION OF DONATIONS)

Note: This individual may not be employed by the *Sponsoring Agency*.

Name Chrissy M. Thornton, President

Address Associated Black Charities; 2 Hamill Road, Ste. 359, West Quadrangle,
Baltimore MD 21210 +

Telephone 410-659-0000 x1201 Email cthorton@abc-md.org; ctodd@abc-md.c

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

Chrissy M. Thornton, President
Cynthia Todd, Director of Operations

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.

~~Associated Black Charities will collect toys, games, and other gifts at various locations in Baltimore City including Baltimore City Hall, Associated Black Charities principal office, and other locations as may be deemed appropriate. Associated Black Charities will collect any funds in a specially designated account where they will maintain funds~~ +

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

~~Associated Black Charities will keep records of all supporting documentation given for donations and in-kind items. Staff from the Office of the Council President will assist in events to collect donated items.~~

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 will be input into Associated Black Charities' financial system with supporting notations with the deposit. In-kind items will be catalogued with similar notations. Any surplus funds or left over in-kind items will be used to benefit the intended population beyond the day of the event to distribute the supplies.~~

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.

~~Associated Black Charities will treat all donors and participants equally and avoid any appearance of favoritism or preferential treatment.~~

PART F. SIGNATURE AND AFFIRMATION

I affirm under the penalties of perjury that the contents of this Application and of all accompanying attachments are true to the best of my knowledge, information, and belief.

Date: 9/19/2023

FOR: Aaron DeGraffenreidt

{Type/Print Name of Sponsoring Agency}

Degraffenreidt, Aaron

Digitally signed by Degraffenreidt, Aaron (City Council)

BY: **(City Council)**

Date: 2022.03.04 09:39:30 -05'00'

{Signature}

Baltimore City Council

{Type/Print Name of Sponsoring Agency}

100 N. Holliday Street, Ste. 400

{Type/Print Office Address}

443-615-0751

{Type/Print Office Telephone Number}

a.degraffenreidt@baltimorecity.gov

{Type/Print Email Address}

APPROVED BY THE BOARD OF ESTIMATES

Clerk

Date