



TO: Board of Estimates, Office of Comptroller
FROM: AGC1000 - City Council : AGC1000 - City Council
DATE: 08/04/2023
SUBJECT: Governmental/Charitable Solicitation Application for Patterson Park Splash Pad

ACTION REQUESTED OF BOARD OF ESTIMATES:

The Board is requested to approve a Governmental/Charitable Solicitation Application for the Patterson Park Splash Pad.

PERIOD OF CONTRACT/AGREEMENT: Based on Board Approval

AMOUNT AND SOURCE OF FUNDS:

Transaction Amount: \$ 0.00

Project Fund	Amount
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BACKGROUND/EXPLANATION:

Donations will be solicited from Baltimore businesses, civic leaders, the foundation community, and the general population. A potential donor list will be composed of individuals, organizations, businesses, and foundations that contribute to the economic, social, and cultural vitality of Baltimore City. Most of the individual and corporate entities fitting that description are not controlled donors. However, those potential donors who are controlled donors with respect to the City Council or the Board of Estimates will not be targeted or singled out in any way and will be solicited, if at all, in the same manner as the other potential donors.

In light of the closure of Patterson Park Pool in Summer, Councilmember Cohen is collaborating with the Administration and a coalition of elected officials and community partners (Delegate Robbyn Lewis, Friends of Patterson Park, Patterson Park Neighborhood Association, Comité Latino de Baltimore) to establish a pop-up splash pad in or near Patterson Park.

Councilmember Cohen and his staff intend to raise \$15,000 in this campaign. These funds will pay for water features, water usage, free or discounted refreshments, and cultural/recreational programming.

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 / The purchaser is not using city funds or receiving any city subsidies to purchase the property

COUNCIL DISTRICT: 1st District

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: {CLERKDATE SIGNATURE} {DATE}

Law has reviewed and approved for form and legal sufficiency


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: _____

GOVERNMENTAL/CHARITABLE GIFT SOLICITATION WAIVER – APPLICATION FOR APPROVAL

Name of Benefitted Program/Charity:

Summer 2023 Patterson Park Splash Pad

PART A. SPONSORING AGENCY.

Agency Name: Office of Councilmember Zeke Cohen

Contact Person/Coordinator: Maggie Master

Address: 100 Holliday St Room 522
 Baltimore, MD 21202

Phone: 410-396-4821

Email: Maggie.Master@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.

Summer 2023 Patterson Park Splash Pad

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

Councilmember Cohen is working with the Administration and community partners to establish a temporary splash pad in or near Patterson Park on City-owned land. The funds will be used to purchase portable sprinklers and other water features, pay for water usage, fund free or discounted refreshments for attendees, and to support cultural programming at the site.

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: Upon approval by the Board of Ethics

II. Proposed ending date of solicitation efforts: October 1, 2023

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

This campaign will target individuals, organizations, businesses and foundations who have a demonstrated interest in supporting summer recreation opportunities for youth. They will be contacted by Councilmember Cohen and his staff through emails, calls, and social media (e.g. Twitter, Facebook, Instagram, etc.).

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

Councilmember Zeke Cohen and his staff

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 initiatives related to education, youth, or recreation. Most potential donors fitting this description are not controlled donors. However, those potential donors who are controlled with respect to the City Council or Board of Estimates will not be targeted or singled out in any way and will be solicited, if at all, in the same manner as 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 directed exclusively toward splash pad materials and programming, which will be open to all. The focus of all solicitation requests will focus on the potential benefits to youth and community members who are participating. The purpose of the funds will be made clear to those donating, and donors will be informed they will not gain favors or special access with their donation.

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: Friends of Patterson Park

Contact Person: Jennifer Robinson

Address: 27 S Patterson Park Ave
Baltimore, MD 21231

Phone: 410-276-3676

Email: jennifer@pattersonpark.com

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

Please see responses in the accompanying document - "Office of Councilmember Zeke Cohen - Summer 2023 Patterson Park Splash Pad- Responses to Part D"

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.

Please see responses in the accompanying document - ""Office of Councilmember Zeke Cohen - Summer 2023 Patterson Park Splash Pad- Responses to Part D"

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

Please see responses in the accompanying document - "Office of Councilmember Zeke Cohen - Summer 2023 Patterson Park Splash Pad- Responses to Part D"

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.

Please see responses in the accompanying document - "Office of Councilmember Zeke Cohen - Summer 2023 Patterson Park Splash Pad- Responses to Part D"

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.

Please see responses in the accompanying document - "Office of Councilmember Zeke Cohen - Summer 2023 Patterson Park Splash Pad- Responses to Part D"

PART E. SIGNATURE AND AFFIRMATION .

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

I, Ethan Hasiuk [Name], on behalf of Office of Councilmember Zeke Cohen [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.

Ethan Hasiuk

Digitally signed by Ethan Hasiuk
Date: 2023.07.28 16:21:24 -04'00'

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:

Clerk Signature

Date

Office of Councilmember Zeke Cohen - Summer 2023 Patterson Park Splash Pad- Responses to Part D

I. Disclose the person or persons within the distributing entity (Friends of Patterson Park) who will be responsible for fund distribution and accounting.

Fund distribution and accounting will be handled primarily by Lesley Gardiner, the organization's bookkeeper in partnership with the organization's Executive Director, Jennifer Robinson. Ms. Robinson is responsible for signing the checks and oversight of all procurement.

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.

Donations will go in the Friends of Patterson Park's Operating account at M&T Bank but will be designated as restricted for the intended purposes and held in a subaccount in our Quickbooks accounting system.

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

The Friends will work in close partnership with Councilman Cohen's office to ensure the donations are used for the intended purpose. We can provide a monthly accounting of expenses and payment confirmation and in many cases respond to more frequent requests.

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.

We will use our QuickBooks accounting system to thoroughly account for all donations. Prior to beginning fundraising, we will determine a budget to cover the charitable need and will stop accepting donations once the target amount is reached. Under no circumstance will the amount raised exceed \$50,000.

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

No donor, controlled or otherwise, will receive preferential treatment by Friends of Patterson Park. We will include language on webpage for donations that states the potential benefits to youth and community members and informs donors that they will not gain favors or special access to Friends of Patterson Park, Councilmember Cohen, or any other government official.