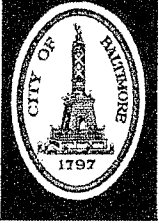


<b>FROM</b>	NAME & TITLE	Catalina Rodriguez Lima, Director <i>Catalina Rodriguez Lima</i>	CITY of BALTIMORE <b>MEMO</b> <i>30-31</i>	
	AGENCY NAME & ADDRESS	Mayor's Office of Immigrant Affairs		
	SUBJECT	Governmental/Charitable Solicitation Application		

DATE:

**TO** Honorable President and Members of the Board of Estimates

May 18, 2021

**ACTION REQUESTED OF THE BOARD OF ESTIMATES:**

The Board of Estimates is requested to endorse a Governmental/Charitable Solicitation Application to be approved by the Baltimore Ethics Board for the Mayor's Office of Immigrant Affairs (MIMA) to promote contributions to the Baltimore Immigrant Community Fund. The Baltimore Civic Fund will be the entity responsible for processing contributions. The period of the campaign is effective upon Board approval through December 31, 2022.

**AMOUNT AND SOURCE OF FUNDS:**

There is no general money associated with this request.

**BACKGROUND/EXPLANATION:**

Donations will be solicited from Baltimore businesses, civic leaders, the foundation community, and the general population. A potential donor list will be comprised 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 Mayor and 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.

The Mayor's Office of Immigrant Affairs (MIMA) wishes to promote and encourage financial support to Baltimore's Immigrant Community Fund through the Baltimore Civic Foundation. The fund seeks to address the needs of immigrant families in the City of Baltimore impacted by the pandemic and its lasting effects. The vision of the fund is to build cohesive, safe, and welcoming communities where New Americans feel valued and treated with dignity. In light of COVID-19, the initiative will serve as a catalyst for funding to respond to the ongoing needs of immigrant families. If approved, MIMA will promote the fund with individuals and foundations in the Baltimore region and not targeted donors.

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 that has been approved by the Ethics Board. Ethics Regulations 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 applicable


**BALTIMORE CITY RESIDENTS FIRST (BCRF):**

**APPROVED BY THE BOARD OF ESTIMATES:**

*[Signature]*  
Clerk

JUN 16 2021

\_\_\_\_\_  
Date

<b>FROM</b>	NAME & TITLE	Catalina Rodriguez Lima, Director <i>[Signature]</i>	CITY of <b>BALTIMORE</b> <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Mayor's Office of Immigrant Affairs		
	SUBJECT	Governmental/Charitable Solicitation Application		

**TO** Honorable President and Members of the Board of Estimates

DATE: May 18, 2021

**ACTION REQUESTED OF THE BOARD OF ESTIMATES:**

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There is no general money associated with this request.

**BACKGROUND/EXPLANATION:**

The Mayor's Office of Immigrant Affairs (MIMA) wishes to promote and encourage financial support to Baltimore's Immigrant Community Fund through the Baltimore Civic Foundation. The fund seeks to address the needs of immigrant families in the City of Baltimore impacted by the pandemic and its lasting effects.

The vision of the fund is to build cohesive, safe, and welcoming communities where New Americans feel valued and treated with dignity. In light of COVID-19, the initiative will serve as a catalyst for funding to respond to the ongoing needs of immigrant families.

If approved, MIMA will promote the fund with individuals and foundations in the Baltimore region and not targeted donors.

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**MBE/WBE PARTICIPATION:**

Not applicable

**BALTIMORE CITY RESIDENTS FIRST (BCRF):**

**APPROVED BY THE BOARD OF ESTIMATES:**

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date



## 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

#### DIRECTIONS AND GENERAL INFORMATION

**NOTE: *Bold-italicized terms* are defined at the end of these Directions.**

#### I. BACKGROUND

Article 8, § 6-26 {"Gifts: Solicitation prohibited"} generally prohibits any *public servant* from soliciting or facilitating the solicitation of a *gift*, "whether on the *public servant's* own behalf or on behalf of another *person*," from any *person* that the *public servant* "knows or has reason to know" is a *controlled donor*. Article 8, § 6-27 {"Gifts: Acceptance prohibited"} further prohibits any *public servant* from accepting a *gift*, even if unsolicited, from any *person* that the *public servant* "knows or has reason to know" is a *controlled donor*.

These prohibitions have long been recognized to apply even if the "gift" is being solicited to support a governmental function or charitable endeavor. 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" and have been pre-approved by the Ethics Board.

More recently, the Ethics Board adopted Regulation 06.26 to standardize and clarify the requirements and procedures for invoking this exception. (The full text of the Regulation is appended to City Code Article 8, accessible online through the Ethics Board's website:  
<http://ethics.baltimorecity.gov>.)

#### II. GENERAL STANDARDS FOR APPROVAL

Ethics Regulation 96.26B sets out the following general standards for Ethics Board approval:

1. The solicitation must be for the exclusive benefit of a governmental or charitable function, program, or activity.
2. **The program, function, or activity to be benefitted and the proposed solicitation campaign must have been endorsed by the Board of Estimates or its designee(s).**
3. The solicitation must be directed at a broad range of potential donors and may not specially target *controlled donors*.

4. The campaign must be designed and conducted so as to avoid any suggestion that contributors might receive special access or favored treatment from any City *agency* or any *public servant*.
5. The solicitation must be approved in advance by the Ethics Board, on written request of the *sponsoring agency*.
6. The solicitation must be conducted in accordance with the terms and conditions of the Ethics Board's approval.

## II. WHEN AND WHERE TO APPLY

An application for Ethics Board approval must be submitted to the Ethics Board at least 45 days before any *controlled donor* is solicited, directly or indirectly.

## III. ACTIVITY REPORTS AND RECORDS

The *sponsoring agency* must periodically report solicitation activities to the Ethics Board, as follows:

1. A Final, Cumulative Report must be filed within 30 days after all solicitations have been made and anticipated donations received.
2. Interim Reports must be filed on the following schedule, depending on the aggregate value of donations sought by the campaign:
  - (i) for campaigns seeking \$50,000 or more in donations, once every 3 months;
  - (ii) for campaigns seeking between \$5,000 and \$50,000, once every 6 months; and
  - (iii) for campaigns seeking less than \$5,000, only the Final Report is required.

The *sponsoring agency* must make and maintain detailed records to assure complete reporting of all of the information required to be disclosed in the Reports. (See Form 627.)

## IV. FORMS AND INFORMATION

Additional forms and instructions for the application and activity reports are available on the Board's Website, <http://ethics.baltimorecity.gov>.

Any questions about the scope or applicability of the City Ethics Code should be directed to the Board, at 635 City Hall (410-396-7986).

**DEFINITIONS OF TERMS**  
All defined terms are indicated by *bold italics*.

**“Agency”/ “City agency”.**

(a) *General.*

“Agency” or “City agency” means any department, board, commission, council, authority, committee, office, or other unit of City government.

(b) *Inclusions.*

“Agency” or “City agency” includes:

- (1) Baltimore City Parking Authority.
- (2) Baltimore Development Corporation.
- (3) Baltimore Police Department.
- (4) Board of Liquor License Commissioners for Baltimore City.
- (5) Civilian Review Board of Baltimore City.
- (6) Enoch Pratt Free Library of Baltimore City.
- (7) Housing Authority of Baltimore City.
- (8) Local Development Council, South Baltimore Video Lottery Terminal.
- (9) Pimlico Community Development Authority.
- (10) Any individual not embraced in a unit of City government who exercises authority comparable to that of the head of a unit of City government.

**“Controlled donor”.**

“Controlled donor” means any *person* that:

- (1) does or seeks to do business of any kind, regardless of amount:
  - (i) with an *agency*; or

- (ii) with another *person* in connection with or in furtherance of that other *person’s* contract with an *agency*;

- (2) engages in an activity that is regulated or controlled by an *agency*;
- (3) is a lobbyist with respect to matters within the jurisdiction of an *agency*;
- (4) has a financial interest that might be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of the official duties of an *agency*; or
- (5) is an owner, partner, officer, director, trustee, employee, or agent of any person described in items (1) through (4).

**“Gift”.**

“Gift” means the transfer of any thing or any service of economic value, regardless of the form, for less than adequate, identifiable, and lawful consideration. “Gift” does not include political contributions that are regulated under state law.

**“Person”.**

“Person” means:

- (1) an individual;
- (2) a partnership, firm, association, corporation, or other entity of any kind;
- (3) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; and
- (4) except as used in Subtitle 9 {“Enforcement”} of this article for the imposition of criminal penalties, a governmental entity or an instrumentality or unit of a governmental entity.

**“Public servant”.**

“Public servant” means any official or employee of the City of Baltimore or of any *agency* of the City.

**“Sponsoring agency”.**

“Sponsoring agency” means:

- (1) the City *agency* that, under Ethics Code § 6-26(b) and Board Regulation R 06.26, seeks to conduct a solicitation for an official governmental program or activity or for a charitable function or activity; or
- (2) if more than one City *agency* is involved, the *agency* designated to coordinate the solicitation.



**BALTIMORE CITY ETHICS BOARD**

635 City Hall  
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Baltimore, Maryland 21202  
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**GOVERNMENTAL/CHARITABLE SOLICITATIONS –  
APPLICATION FOR APPROVAL**

NAME OF BENEFITTED PROGRAM / CHARITY: Baltimore Immigrant Community Fund

**PART A. SPONSORING AGENCY**

Name Mayor's Office of Immigrant Affairs (MIMA)

Address 1 N. Charles Street, Baltimore, MD 21201

Contact Person / Coordinator Catalina Rodriguez Lima

Telephone 410-818-6193

Email catalina.rodriguez-lima@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:**

MIMA and its staff wishes to promote and encourage financial support to the Baltimore Immigrant Community Fund (BICE) housed in the Baltimore Civic Fund. BICE seeks to support immigrant communities residing in Baltimore City with emergency assistance, case management, and additional resources to help them throughout the pandemic and

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

Contributions will be used to assist immigrant families experiencing economic instability due to COVID-19.

**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: May 6, 2020

**Attach Copy of Written Endorsement**

**PART D. WHEN AND HOW SOLICITATION TO BE CONDUCTED**

- I. Proposed starting date of solicitation efforts:** Immediate upon approval
- II. Proposed ending date of solicitation efforts:** December 31, 2022

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

Foundations, individual donors, organizations and the general public. There will be no direct exchange of funds, all donations will be made directly to Baltimore Civic Fund  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

~~Catalina Rodriguez, Katie Miller~~  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**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 will be made broadly during speeches, announcements, and presentations. Those interested in supporting the fund will be able to do so via BCF's donate page. There will be no direct solicitations of individuals or businesses.

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**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:**

MIMA and its staff will ensure that messaging is made clear in all solicitation communication by including the following language "Donations will in no specific way benefit the donors in terms of city services and or any other favored treatment"

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**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 HyeSook Chung, Baltimore Civic Fund

Address 1 N. Charles Street, Baltimore, MD 21201

Telephone (443)-540-6113

Email HyeSook@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 staff account, Tammy Grinnan, is responsible for fund distribution and accounting. The Civic Fund's President, HyeSook Chung, is responsible for reviewing and approving all disbursements. Program Director, Cassandra Sullivan, can provide reports and other information about program account use.

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**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.**

Dedicated account at the Baltimore Civic Fund. The Baltimore Civic Fund holds funds in a co-mingled account wherein every program account is segregated by a unique identifying program account code that is only accessible by the authorized contacts and uses. This project will hold funds in Program Account Number 26500 - Baltimore

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

Aside from having an agreement (which includes a SOW and budget) with the Baltimore Civic Fund, the program has agreements with community based organizations responsible for delivering services. Additionally, The Baltimore Civic Fund keeps records of all supporting documentation given for donations, including grants and other conditional funding. Grants are assigned transaction codes in our financial system. All disbursements from the accounts are initiated by a payment request form completed by the program, and signed by the program's authorized signatory (agency director or

**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.**

All funds are accounted based on a Scope of Work and Budget - MIMA has an agreement with the Baltimore Civic Fund detailing the use of funds. Additional donations will be used to support families in need of cash assistance. At the Civic Fund, Donations are input into our financial system with supporting documentation uploaded with the deposit. Donations are coded as contributions and grants are assigned grant codes. The Civic Fund sends donors gift acknowledgment letters. The funds remain in the program's

**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.**

The program will incorporate the following language for potential donors: Donations to the BCF will not be considered as a condition for preferential treatment

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**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: 5/11/2021

FOR: Catalina Rodriguez Lima

*{Type/Print Name of Sponsoring Agency}*

BY: Rodriguez, Catalina Digitally signed by Rodriguez, Catalina  
Date: 2021.05.18 15:38:38 -04'00'

*{Signature}*

Mayor's Office of Immigrant Affairs

*{Type/Print Name of Sponsoring Agency}*

100 N. Holliday Street

*{Type/Print Office Address}*

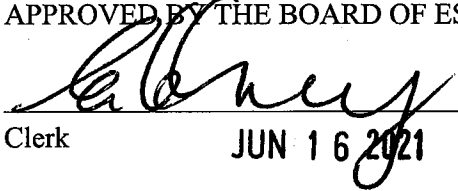
410-818-6193

*{Type/Print Office Telephone Number}*

catalina.rodriguez-lima@baltimorecity.gov

*{Type/Print Email Address}*

APPROVED BY THE BOARD OF ESTIMATES

 w5  
Clerk                      JUN 16 2021                      Date