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FROM	NAME & TITLE	Joshua Thomson, Chief of Staff 	CITY OF BALTIMORE MEMO <i>P. 6-9</i>	
	AGENCY NAME & ADDRESS	Office of Councilmember Zeke Cohen, RM 522, City Hall		
	SUBJECT	Government/Charitable Solicitation Application		

DATE: 11/23/2020

TO To Honorable Clerk of the Board
of Board of Estimates
Room 204, City Hall

Re: Government/Charitable Solicitation Application

ACTION REQUESTED OF THE BOARD OF ESTIMATES:

The Board is requested to endorse a Governmental/Charitable Application for submission to the Board of Ethics of Baltimore City to allow Councilmember Zeke Cohen and staff to solicit donations from local individuals, businesses, civic leaders, the foundation community and the general public to fund three initiatives of Healing City Baltimore:

- Healing City Summit in February 2021 (\$25,000)
- The Baltimore Neighbors Network, a project of Healing City Baltimore (\$75,000)
- One staff position for Healing City Baltimore (\$91,000)

Healing City Baltimore

Healing City Baltimore (HCB) is a project and sustained movement of neighbors, united as a city-wide community, to engage in honest dialogue, learn from diverse perspectives, embrace our differences and commit to healing together as a foundation to pursuing a racially, socially and economically just and thriving Baltimore for all.

Healing City Baltimore has been designed to support a healing-centered, trauma-informed approach throughout our communities. From trauma-responsive policy, care and resources, to community-building events and engagement initiatives, we are uniting as a city-wide community, healing together, breaking down barriers and working in solidarity to build a better Baltimore.

The period of the campaign, pending board approval, will be effective upon Board approval to Dec 31, 2021.

AMOUNT AND SOURCE OF MONEY:

No general funds are involved in this transaction.

BACKGROUND AND 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 and corporate entities 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.

Funds would be solicited to support Healing City Baltimore in three areas.

Healing City Summit--February 2021

The 2021 Healing City Summit will take place virtually in February of 2021. Healing City Baltimore is planning a multi-day event that will showcase youth, community organizations, members of Baltimore academic institutions, as well as faith groups and civic leaders as we work towards healing Baltimore City through identifying strengths. Components of the summit will focus on trauma-informed care and healing-centered engagement with a variety of speakers, panels, sessions, and interactive engagements with the arts.

We intend to raise \$25,000. These funds will go to marketing and communications to promote the summit, paying youth stipends for the work they put into planning and presenting, T-shirts, swag boxes and their subsequent delivery, food and the technology necessary to run this virtual conference. We anticipate the only participants that will be paid will be youth participants.

The Baltimore Neighbors Network

The Baltimore Neighbors Network (BNN) provides a virtual community of volunteers to help build hope and social solidarity. It will also provide clinical assistance for those who need it most, as identified and elevated through a network of volunteer neighbors and organizations. Seniors and other vulnerable people are a vital peer to peer component of this model. The goal of the network is to respond to rising psychosocial and behavioral health needs in Baltimore City as a result of the COVID-19 pandemic. A network of volunteers is utilizing phone contact with supportive Baltimoreans and trained clinicians. This work seeks to reach approximately 85,000 individuals.

We plan to raise \$75,000 to support the ongoing work of BNN. These funds will pay for the technology infrastructure that is needed to run the effort--mail merging of phone numbers to volunteers, technology for making the phone calls out to neighbors, and the tech support needed to run the systems, as well as for a project manager and for a volunteer coordinator. These funds may also be used to recruit new volunteers.

Staff position for Healing City Baltimore

We plan to raise funds to continue paying the salary and providing benefits for one staff member of Healing City Baltimore. This staff position supports the Elijah Cummings Healing City Act and Healing City Baltimore. The salary is anticipated to remain \$70,000 per year with benefits that will require 30% of that salary for a total cost of \$91,000 per year.

This staff member of Healing City Baltimore supports the goals of the HCB community movement and supports the implementation of the Elijah Cummings Healing City Act. Specifically, the staff member will assist in:

1. Coordinating training for city employees as directed by the Elijah Cummings Healing City Act
2. Reviewing city policies with a lens towards equity and trauma-informed care
3. Creating and staffing the Trauma-Informed Care Task Force
4. Building the sustained movement of Healing City Baltimore, as outlined above
5. Fundraising for and managing the budget of Healing City Baltimore

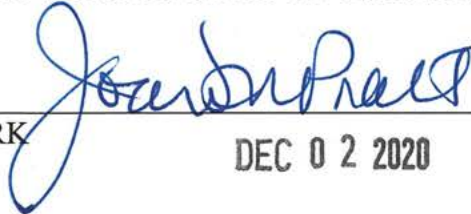
Baltimore City Code Article 8, Section 6-26, prohibits solicitation or facilitating the solicitation of a gift. An exception was enacted in 2005 to permit certain solicitations that are for the benefit of an official governmental program or activity, or a City endorsed charitable function or activity. 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/MWE PARTICIPATION:

N/A

APPROVED BY BOARD OF ESTIMATES:

CLERK

A handwritten signature in blue ink, appearing to read "Jordan Pratt", is written over a horizontal line.

DEC 02 2020

DATE

BALTIMORE CITY ETHICS BOARD
626 City Hall
Baltimore, Maryland 21202
Phone: 410-396-4730 Fax: 410-396-8483
<http://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 626 City Hall (410-396-4730).

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.

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

NAME OF BENEFITTED PROGRAM / CHARITY: Healing City Baltimore

PART A. SPONSORING AGENCY

Name Office of Councilmember Zeke Cohen

Address 100 Holliday St

Baltimore, MD 21202

Contact Person / Coordinator Joshua Thomson

Telephone (410) 396-4821

Email joshua.thomson@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:

Healing City Baltimore—First District City Council

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

Funds will be used to support the Healing City Summit in February 2021 (\$25,000)
support the Baltimore Neighbors Network - a project of Healing City Baltimore
(\$75,000), and one staff position for Healing City Baltimore (\$91,000)

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: January 1, 2021

II. Proposed ending date of solicitation efforts: December 31, 2021

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

This campaign will target individual, organizations, businesses, and foundations with a history of supporting education, youth, mental health, and trauma informed care and healing centered engagement initiatives. They will be contacted by Councilmember Cohen and his staff through emails, calls, Internet, and social media (Twitter, Facebook, Instagram, videos, etc)

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

Councilman Cohen and his staff will be directly soliciting contributions.

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, mental health, and trauma informed care and healing centered engagement

Most potential donors fitting this description are not controlled donors.

However, those potential donors who are controlled 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 towards the Healing City Summit that will take place in February 2021, the staff position for Healing City Baltimore or to support the Baltimore Neighbors Network. The focus of all solicitation requests

and promotion of the program will focus on the potential benefits to the youth, older adults and the community. 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 E. PERSON RESPONSIBLE FOR CUSTODY, ACCOUNTING, AND DISTRIBUTION OF DONATIONS

Name Maryland Philanthropy Network

Address 1600 W 41st Street, Suite 700
Baltimore, MD 21211

Telephone (410) 727-1205

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: November 23, 2020

FOR: 1st District Baltimore City Council

{Type/Print Name of Sponsoring Agency}

BY: 

{Signature}

Joshua Thomson, Chief of Staff 1st District

{Type/Print Name and Title}

100 Holliday St. Baltimore, MD 21202

{Type/Print Office Address}

410-396-4821

{Type/Print Office Telephone Number}

joshua.thomson@baltimorecity.gov

{Type/Print Email Address}

APPROVED BY THE BOARD OF ESTIMATES

Clerk 

DEC 02 2020

Date

Survey about Funds Solicited to Support Healing City Baltimore in 2021

- 1. Please disclose the person or persons within the distributing entity or entities who will be responsible for fund distribution and accounting.**

All cash disbursements are ultimately approved by Maryland Philanthropy Network (MPN) Acting President, Elisabeth Hyleck. Prior to her approval, disbursements are reviewed by at least two other staff members including Leah Abrams who serves as the organization's Accountant.

- 2. Please describe how the funds will be held pending distribution, e.g., held in a trust or other dedicated account, in a general account, co-mingled with other funds, etc.**

Funds will be held in the M&T Bank general operating account for Maryland Philanthropy Network. Cash is not segregated by bank account but is segregable via our accounting system.

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

MPN, acting as a good steward for funds contributed to the organization, is committed to ensuring that the funds are spent in an appropriate manner. The President will approve all applications for grant funds and will make certain that MPN staff fully understand donor requirements and expectations. The President and / or Program Director are responsible for ensuring MPN is in compliance with the grant conditions and scope of work. If changes are necessary and key deliverables are no longer feasible, either the President or Program Director will discuss the matter with the funder and document changes in writing. Interim and final reports will be presented to grantors on a timely basis.

Restricted grant income and expenses are tracked in MPN's chart of accounts. The President and / or Program Director will carefully monitor expenditures for restricted grant projects to ensure that total spending does not exceed grant revenues and that a grantor's funds are used only to support projects specified in, or appropriate under, the grant.

Regarding our Fiscally Hosted projects, the Network's internal evaluation includes:

- Affirming the interest and/or support of one or more Network members to fiscally host the proposed initiative.
- Affirming that the purpose and goals of the initiative align with our organizational values, mission and goals.
- Affirming that the initiative or organization has a clear and reliable governance or advisory structure.
- Affirming that the initiative or organization has sufficient initial funds to cover any costs that the Network will incur in providing services.
- Affirming that any related fundraising plan is well considered and realistic.
- Assessing and ensuring that a proposed initiative, viewed in conjunction with existing Network commitments, will not overextend the Network's human, physical or financial resources.

- Assessing and ensuring that the Network's staff, proposed partners, and/or consultants have sufficient capacity to effectively manage the initiative and/or provide the required services.

4. 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.

Contributions and the related materials received with funds are reviewed, allocated and recorded on an ongoing basis. Documentation is reviewed for time and project restrictions imposed by the donor in order to determine the allocation to the appropriate project.

On a quarterly basis, the President and Program Directors monitor grants receivable for their program areas and are responsible for contacting granting organization for payment.

MPN will acknowledge all monetary and gifts in kind in writing within 30 days of receipt. The acknowledgement will include the amount and/or description of the gift or gift in kind as required by both federal and state laws.

If the donor's intent is unclear, the donor is contacted for clarification. If donations exceed charitable need, the donor is contacted to determine if they would like to redirect their funds to another purpose of their choosing or to have unspent funds returned.

5. Please provide additional details about the measures that will be taken to ensure that controlled donors will not receive preferential treatment.

Due to the purpose of the funds being raised, there will be a limited number of vendors. Prior to cash disbursement, each vendor relationship will be reviewed by MPN Staff in order to identify any potential conflicts with donations received.

Further, the President is directed to refer questionable gifts to the Board of Directors for guidance on a case-by-case basis. MPN employees shall promptly bring to the attention of the President all donations.

MPN may elect to refuse offers of gifts of any type if the gift poses a conflict of interest or the appearance or perception of a conflict of interest.