



TO: Board of Estimates, Office of Comptroller

FROM: AGC4303 - M-R Office of Information and Technology

DATE: 01/13/2026

Submission #: SB-25-14070

SUBJECT: Governmental/Charitable Gift Solicitation Waiver - Broadband and Digital Equity (BDE)

ACTION REQUESTED OF BOARD OF ESTIMATES:

The Board is requested to approve a Governmental/Charitable Gift Solicitation Waiver.

PERIOD OF CONTRACT/AGREEMENT: 01/16/2026 to 01/16/2028

AMOUNT AND SOURCE OF FUNDS:

Transaction Amount: \$ 0.00

Project Fund	Amount
--------------	--------

BACKGROUND/EXPLANATION:

The Board is requested to endorse a Governmental/Charitable Solicitation Application for submission to the Board of Ethics of Baltimore City to allow the Office of Broadband and Digital Equity (BDE) to seek external funds to support digital equity programming following the end of its American Rescue Plan Act (ARPA) grant on June 30, 2026. Although ARPA funds are expiring, Baltimore City remains committed to closing the digital divide once and for all, a key priority under the Mayor's Action Plan and Baltimore City's Digital Inclusion Strategy, which extends through 2029. This funding will be used to staff ongoing digital equity initiatives. The period of the solicitation, pending Board approval, will be effective January 16, 2026 to January 16, 2028.

Solicited funding will be used to allow BDE to:

- Support a digital equity lens across BCIT through community engagement support and broader city initiatives, such as employee digital skills training.
- Identify opportunities to build initiatives in coordination with the private sector or through philanthropic or government grants to expand digital inclusion in the healthcare, workforce development, education, and financial sectors.
- Convene and support the digital equity ecosystem in Baltimore City, including service providers, educational institutions, funders, and others, to exchange information, engage in partnerships, and improve the efficiency of digital equity programming across the city.
- Implement community engagement and education initiatives, including links to digital equity programs, information on Baltimore City public Wi-Fi, and consumer education to support

enhanced consumer choice as ISP options expand with the extension of Baltimore City middle mile fiber infrastructure.

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.

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:

Law has reviewed and approved for form and legal sufficiency



Clerk, Board of Estimates

01-07-2026



BALTIMORE CITY ETHICS BOARD

100 N. Holliday Street, Suite 635 / Baltimore, MD

21202 ethics@baltimorecity.gov / 410-396-7986

GOVERNMENTAL/CHARITABLE GIFT SOLICITATION WAIVER - APPLICATION FOR APPROVAL DIRECTIONS AND GENERAL INFORMATION

Note: ***Bold-italicized terms*** are defined at the end of these directions.

I. BACKGROUND

Section 6-26 {"Gifts: Solicitation prohibited"} of the Baltimore City Public Ethics Law, contained in Article 8 of the City Code, 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*". § 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*.

Exceptions to this general prohibition are provided in § 6-26 (b), which permits solicitation if the gift is (1) for the benefit of an official governmental program or activity or a City-endorsed charitable function or activity; and (2), it either:

- (i) is expressly allowed by a rule or regulation of the Ethics Board; or
- (ii) otherwise has been approved in advance by the Ethics Board, on the written request of the *public servant* and the respective *City agency*.

Conditions for the approval of such solicitations are outlined in Board Regulation 06.26. I to standardize and clarify the requirements and procedures for invoking this exception. (The full text of the Regulation is available on the Ethics Board's website:

<https://ethics.baltimorecity.gov/gift-solicitation-waivers>.)

II. GENERAL STANDARDS FOR APPROVAL

Ethics Board Regulation 06.26.1(B) provides 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*. [See, "NOTE", *infra.*]
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.

NOTE: In general, every solicitation should contain language stating that (1) contributing to the campaign will not result in special benefits or advantages to the donor and that (2) not contributing to the campaign will not result in a detriment or disadvantage to the party that is being solicited.

III. WHEN AND WHERE TO APPLY

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

IV. ACTIVITY REPORTS AND RECORDS

The *sponsoring agency* must periodically report solicitation activities to the Ethics Board, in a form consistent with generally accepted standards in the practice of accounting¹, 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
 - (ii) for campaigns seeking less than \$5,000, only the Final, Cumulative 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. Activity reports must be signed as accurate by the *sponsoring agency* and *fiscal sponsor*. (See Form 627.)

V. FORMS AND INFORMATION

Additional forms and instructions for the application and activity reports are available on the Board's website at <https://ethics.baltimorecity.gov/gift-solicitation-waivers>.

Any questions about the waiver application and/or reporting process should be directed to Ethics Board staff at ethics@baltimorecity.gov or 410-396-7986.

¹ You may review the Governmental Accounting Standards on the Governmental Accounting Standards Board's website, accessible here: <https://gars.casb.org/>. For free access, choose "Basic View."

DEFINITION 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 Children and Youth Fund;
 - (2) Baltimore City Parking Authority;
 - (3) Baltimore Development Corporation;
 - (4) Baltimore Police Department; Enoch
 - (5) Pratt Free Library of Baltimore City;
 - (6) Housing Authority of Baltimore City;
 - (7) Local Development Council, South Baltimore Video Lottery Terminal;
 - (8) Pimlico Community Development Authority;
 - (9) South Baltimore Gateway Community Impact District Management Authority; and
 - (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*;
 - (ii) or 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).

“Fiscal Sponsor”

“Fiscal sponsor” means the person who is responsible for the custody, accounting, and distribution of donations. The fiscal sponsor may not be an individual employed by the sponsoring agency.

“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 receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; and
- (3) partnership, firm, association, corporation, or other entity of any kind;
- (4) except as used in the City Code, Article 8, Subtitle 9, 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 the City Code, Article 8, § 6-26(b) and R 06.26.1, 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, 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:

Digital Equity Services

PART A. SPONSORING AGENCY.

Agency Name: Baltimore City Office of Information & Technology

Contact Person/Coordinator: Whitney Moret, Deputy Director, Broadband and Digital Equity

Address: 401 E. Fayette St.
 Baltimore, MD 21202

Phone: 443-202-9422

Email: whitney.moret@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 Office of Broadband and Digital Equity (BDE) will seek external funds to support digital equity programming following the end of its American Rescue Plan Act (ARPA) grant on June 30, 2026. Although ARPA funds are expiring, Baltimore City remains committed to closing the digital divide once and for all, a key priority under the Mayor's Action Plan and Baltimore City's Digital Inclusion Strategy, which extends through 2029. This funding will be used to staff ongoing digital equity initiatives.

II. Describe the specific purposes to which contributions and other receipts will be applied. Solicited funding will be used to allow BDE to:

- Support a digital equity lens across BCIT through community engagement support and broader city initiatives, such as employee digital skills training.
- Identify opportunities to build initiatives in coordination with the private sector or through philanthropic or government grants to expand digital inclusion in the healthcare, workforce development, education, and financial sectors.
- Convene and support the digital equity ecosystem in Baltimore City, including service providers, educational institutions, funders, and others, to exchange information, engage in partnerships, and improve the efficiency of digital equity programming across the city.
- Implement community engagement and education initiatives, including links to digital equity programs, information on Baltimore City public Wi-Fi, and consumer education to support enhanced consumer choice as ISP options expand with the extension of Baltimore City middle mile fiber infrastructure.

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: 1/16/26

II. Proposed ending date of solicitation: 1/16/28

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

The Office of Broadband and Digital Equity (BDE) will solicit donations from private foundations, private companies with corporate giving policies in alignment with BDE's mission, and individuals through public postings and email outreach.

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

Mayor Brandon Scott; Faith Leach, City Administrator; Shamiah Kerney, Deputy City Administrator; John D. Merrill, Deputy Chief of Staff; Baltimore City Communications staff; HyeSook Chung, President, Baltimore Civic Fund; Leyla Layman, Interim CIO, BCIT; Kenya Asli, Director, BDE; and other BDE team members, including: Whitney Moret, Deputy Director; Purnell Carter, Technical Director; Rafael McFadden, Communications Manager; Serena Onabolu, Program Manager; Mariam Sannoh, Grants Compliance Specialist; Craig LiPuma, Fellow; and William Honablew, Jr., Community Impact Manager.

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*.

BDE will post a solicitation publicly to ensure that it reaches a broad range of donors. The solicitation will be posted on BDE's website and social media. BDE will also share the solicitation by email to members of its listserv, which includes contact information for hundreds of individuals and organizations. BDE will supplement public outreach with individual messages by email to donors that have expressed interest in giving to similar causes, without partiality to controlled donors. No controlled donors will be directly solicited.

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.

All solicitation materials will include a clear disclaimer stating that contributors will not receive special privileges, access, or favored treatment from any City agency or public servant. All non-donors will be informed that choosing not to donate will not result in any detriment.

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, Inc.

Contact Person: Christina Gatto

Address: 8 Market Place, Suite 300, Baltimore, MD 21202

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 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.

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 and those received by other means may be acknowledged by a gift letter. Donations receive a funding code for tracking purposes and remain in the program's account to be used in 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. In the event the donation exceed the charitable need, Civic Fund will make every effort to contact the donor to receive authorization for a change of purpose for the received funds.

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.


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. FISCAL SPONSOR SIGNATURE AND AFFIRMATION.

Part E should be completed by the *Fiscal Sponsor* upon completion of the application.

I, HyeSook Chung [Name], on behalf of Baltimore Civic Fund, Inc.

[*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.


HyeSook Chung (Oct 3, 2025 10:51:36 EDT)

Signature

Oct 3, 2025

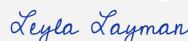
Date

PART F. SIGNATURE AND AFFIRMATION.

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

I, Leyla Layman, on behalf of Baltimore City Office of Information & Technology

[*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

10/21/2025

Date






Gift Waiver Application Form 626 (rev 2023.7.6)_250929

Final Audit Report

2025-10-03

Created:	2025-10-03
By:	Christina Gatto (christina@baltimorecivicfund.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAZRpMTuy8lpo5Fy1ixbsO-LHa1tjwnVeq

"Gift Waiver Application Form 626 (rev 2023.7.6)_250929" History

-  Document created by Christina Gatto (christina@baltimorecivicfund.org)
2025-10-03 - 2:37:08 PM GMT
-  Document emailed to HyeSook Chung (hyesook@baltimorecivicfund.org) for signature
2025-10-03 - 2:39:19 PM GMT
-  Email viewed by HyeSook Chung (hyesook@baltimorecivicfund.org)
2025-10-03 - 2:51:22 PM GMT
-  Document e-signed by HyeSook Chung (hyesook@baltimorecivicfund.org)
Signature Date: 2025-10-03 - 2:51:36 PM GMT - Time Source: server
-  Agreement completed.
2025-10-03 - 2:51:36 PM GMT