

Letter was sent on
August 9, 1988

August 8, 1988



City of Chicago
Gene Sawyer, Acting Mayor

Board of Ethics
Barriett McCullough
Executive Director

Al Brandzel
Chair

Mary Milano
Vice Chair

Rev. Don Benedict
Margaret Carter
Angela Eames
Rev. A. Patterson Jackson
Marlene Rankin

Suite 1320
105 West Randolph Street
Chicago, Illinois 60606
(312) 744-9660

[REDACTED]

Confidential

Case Number 88106.A

Dear [REDACTED]

You requested an advisory opinion from our office concerning a possible conflict of interest situation. Specifically, you asked the Board to determine whether it would constitute a violation of the Ethics Ordinance for you to serve on the board of a non-profit organization that is seeking a Community Development Block Grant (CDBG) from the City.

According to the information we received, you are a City employee [REDACTED] and are also a member of [REDACTED] a not-for-profit organization. This organization has submitted a proposal for CDBG funds that would be budgeted through the Mayor's Office of Employment and Training. It is our understanding that [REDACTED] you have no role whatever in the evaluation of CDBG proposals. You have also informed us that you receive no compensation for your services [REDACTED] as a board member.

On the basis of the information you supplied, the Chairman and Vice Chairman of the Board of Ethics rendered a tentative opinion stating that your membership on the board of a non-profit organization seeking CDBG funds through the Mayor's Office of Employment and Training would not create a conflict of interest prohibited under the Ethics Ordinance. This tentative opinion was conveyed to you by phone. In its meeting of July 12, the Board of Ethics formally adopted this opinion. The rationale for this is set forth below.



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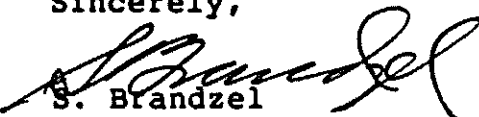
There are four sections of the Ethics Ordinance which are potentially relevant to conflict of interest situations. These are Sections 26.2-3, 26.2-8(a), 26.2-9(a) and 26.2-11. A copy of these sections has been enclosed. Sections 26.2-3 and 26.2-8(a) prohibit City employees and officials from attempting to influence City decisions concerning matters in which they have or might have an economic interest. Section 26.2-11 prohibits City employees from maintaining a "financial interest" in City business. "Financial interest" is defined as being any interest which either (1) entitles its owner to more than \$2,500 per year; or (2) has a present value of \$5,000 or more; or (3) represents more than 10% of a corporation or any other legal entity organized for profit. You have informed us that you derive no economic benefit from your board membership and that you are not in a position to influence City decisions with respect to the distribution of CDBG funds. If this information is correct, these provisions concerning conflicts of interest would not apply to your circumstances.

Section 26.2-9(a) prohibits City employees and elected officials from representing other persons before City agencies. You would not be in violation of this section unless you acted before the City on behalf ~~not for profit organization~~ [REDACTED]

Based on a consideration of the circumstances you describe in light of the Ordinance provisions cited above, the Board has determined that your membership on the board of a non-profit organization seeking funds from the City does not violate the Ordinance; provided that you receive no personal economic benefit from your work with this organization, and that you are not in a position to influence City decisions concerning this organization's proposals for City grants.

We appreciate your inquiry. If you have further questions concerning this matter please do not hesitate to contact the Board.

Sincerely,


S. Brandzel
Chairman

JH/jh/[REDACTED]