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CONFIDENTIAL

December 21, 2001

Mr. [John Doe]  
Deputy Director  
[Department of X]  
Chicago, IL 606xx

Re: Case No. 01054.Q

Dear Mr. [Doe]:

On December 3, 2001 you contacted our office and asked whether the City's Governmental Ethics Ordinance would prohibit [Company V], a vendor of your department, from offering, or your department or its employees from accepting, an "appreciation" holiday food buffet to all [departmental] employees (approximately 800, you said) at [your department's offices] during several successive shifts in December 2001. You advised Board staff that departmental employees who would partake in this buffet would do so on "City time," because [your department] operates 24 hours a day, seven days a week. You also told staff that you had been assured by [Company V] personnel that the total cost to [Company V] of catering the buffet would come to much less than \$50 per City employee, though [Company V] did not know either the total amount it would be spending on this buffet, or the buffet's precise cost per City employee.

On December 4, 2001, Board staff orally advised you that, on the facts provided, the City's Governmental Ethics Ordinance would not prohibit [Company V] from offering this buffet, or your department's employees from accepting it. However, staff cautioned you that, although the offer was acceptable under the Ordinance, other factors warranted your department's serious consideration, such as the appearance of impropriety that would result were the offer accepted, whether other rules or laws would apply, and whether, as a matter of City policy, it is appropriate for a department to accept such a gift from one of its vendors. On December 8, 2001, you informed staff that the buffet would not occur, and requested written verification of our prior advice. Pursuant to your request, this letter is being sent to you to serve as written confirmation of Board staff's advice and conclusion.

As previously stated, our advice and conclusion are not necessarily dispositive of all issues relevant to this situation, but are based solely on the application of the City's Governmental Ethics Ordinance to the facts presented. Other laws, rules, regulations or policies could prohibit this offer. If the facts stated in this letter are incorrect or incomplete, please notify us immediately, as any change may alter our conclusion.

We sincerely appreciate your inquiry, your conscientiousness, and your concern to abide by the standards embodied in the City's Governmental Ethics Ordinance, and we commend you and the department for exercising good ethical judgment in this case. Please do not hesitate to contact us if you have any further questions.

Yours very truly,  
[Signature ]

Steven I. Berlin  
Deputy Director

Approved:  
[Signature ]

Dorothy J. Eng  
Executive Director