



City of Chicago
Eugene Sawyer, Acting Mayor

May 10, 1988

Board of Ethics
Harriet McCullough
Executive Director

Sol Brandzel
Chair

Mary Milano
Vice Chair

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

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

CONFIDENTIAL

[REDACTED]

CASE NUMBER 88060.Q

Dear [REDACTED]

This letter is in response to your letter of April 20, 1988, requesting an opinion concerning a trip to Country which a few City employees were to take between May 2 and May 8, 1988. We have considered your case and have determined that accepting the expenses paid by the [REDACTED] Council was not a violation of the Governmental Ethics Ordinance.

Your letter states the transportation would be provided by the City, and the [REDACTED] Council would pay for local expenses. It also states that the [REDACTED] Council is marketing a waste management system to Chicago. The itinerary you provided states that in addition to the City of Chicago being represented, other non-City governmental agencies were going to be on the trip. The itinerary indicates that although there are some tours are with private concerns, most of the meetings are with County's governmental bodies and other public agencies.

The section of the Governmental Ethics Ordinance regulating offering, receiving and soliciting gifts is section 26.2-4. It states (in part) that:

...

(b) No person shall give or offer to give to any official, employee, or City contractor, or to the spouse or minor child of any of them, and none of them shall accept, anything of value, including, but not limited to, a gift, favor or promise of future employment, based upon any mutual understanding, either explicit or implicit, that the votes, official actions, decisions or judgments of any official, employee or City contractor



concerning the business of the City would be influenced thereby. It shall be presumed that a non-monetary gift having a value of less than \$50 does not involve such an understanding.

(c) No person who has an economic interest in a specific City business, service or regulatory transaction shall give, directly or indirectly, to any City official or employee whose decision or action may substantially affect such transaction, or to the spouse or minor child of such official or employee, and none of them shall accept, any gift of (i) cash or its equivalent regardless of value, or (ii) an item or service other than an occasional one of nominal value (less than \$50); provided, however, nothing herein shall be construed to prohibit such person from accepting gifts from relatives.

(d) Except as prohibited in subsections (a) and (b), nothing in this section 26.2-4 shall prohibit any person from giving or receiving:
. . . (iv) reasonable hosting, including travel expenses, entertainment, meals or refreshments in connection with public events, appearances or ceremonies related to City business, is furnished by the sponsor of such event.

Many of the meetings scheduled for the trip were with public agencies and other governmental units. Although it is not defined in the itinerary, it is probable that the sponsor of the event, [REDACTED] Council, is itself a public entity. In addition, the City of Chicago itself is paying for the travel expenses.

All of the factors discussed above combine to cause this trip to fall under the exception of section 26.2-4 (d) (iv). That is, as the trip was a "public" event, and the local expenses were paid by the sponsor of those events. Accepting the hospitality was not in violation of the Ordinance.

Should you have any questions, please do not hesitate to contact the Board of Ethics at 744-9660.

Sincerely,

Harriet McCullough
Harriet McCullough
Executive Director