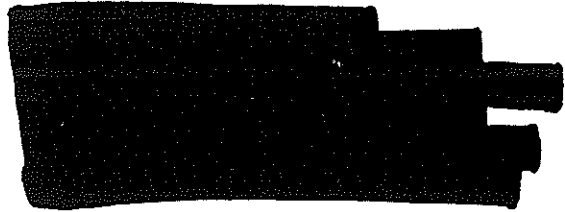




City of Chicago  
Harold Washington, Mayor

October 22, 1987

Board of Ethics  
Harriet McCullough  
Executive Director



Sol Brandzel  
Chair  
Rev. Don Benedict  
Margaret Carter  
Angeles Eames  
Rev. A. Patterson Jackson  
Mary Milano  
Marlene Rankin

Case Number 87076.A

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

Dear [Redacted]

The Board of Ethics has reviewed your request for an advisory opinion to clarify when a City agency must report receipt of a "gift" to the Board of Ethics.

In your letter of August 20th, you informed the Board that the Department of Health sponsors an annual event for City employees and their families called "Chicago Runs for Health". To insure the success of this event, you have stated that the Department of Health solicits contributions from local businesses such as soft drinks, refreshments, and T-shirts. Specifically, you have requested that the Board review the list of donors who have made contributions to this event in 1987, to determine whether the Department of Health has accepted these gifts in compliance with the provisions of the Governmental Ethics Ordinance (Chapter 26.2 of the Municipal Code of Chicago).

In the circumstances you have described, the various gifts donated by local businesses in response to the Department of Health's 1987 solicitation were donated to the City of Chicago, and were not solicited by any official or employee in a personal capacity. Section 26.2-4(f) of the Ethics Ordinance specifically allows officials and employees to accept gifts of any kind on the City's behalf, provided that the person accepting the gift must promptly report receipt of the gift to the Board of Ethics and to the Comptroller. Accordingly, any gift accepted by the Department of Health on behalf of the City of Chicago must be reported to the Comptroller and the Board of Ethics on the attached "Gift Information Form".



October 22, 1987


In regards to gifts made to City officials and employees personally, Section 26.2-4 of the Ethics Ordinance contains the following prohibitions:

- A. City officials and employees cannot accept:
  - (1) gifts from anonymous donors;
  - (2) gifts or benefits of any kind on the basis of some understanding that such gifts will influence an employee's or official's actions in City government;
  - (3) gifts from persons who have an economic interest in a specific transaction with the City where the employee or official is in a position to substantially affect this transaction. This includes cash gifts of any amount and items or services worth \$50 or more. (The Ordinance explicitly states that this prohibition does not extend to gifts from relatives).
- B. It is permissible to accept travel and entertainment expenses furnished in connection with public events provided that the event is related to City business and that the person furnishing these expenses is the sponsor of the event.
- C. Acceptance of honoraria for speaking engagements, debates, etc., in the course of an official's or employee's public functions is permissible but must be reported to the Board of Ethics within five business days.

Please note that a "gift" is defined by the Ethics Ordinance as any thing of value without consideration or expectation of return. (See enclosed Section 26.2-1(k)).

Should you have any questions, please contact the Board of Ethics at 744-9660.

Sincerely,

  
S. Brandzel  
Chairman