

MEH



City of Chicago  
Eugene Sawyer, Mayor

September 26, 1988

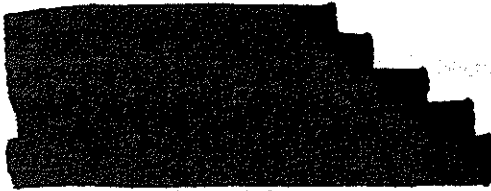
Board of Ethics  
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205 West Randolph Street  
Chicago, Illinois 60606  
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Case Number 88092.A

Dear [Redacted]

Pursuant to the staff's recommendation, this letter will confirm the decision of the Board regarding your request for an advisory opinion. As you know, we have reviewed your request for an advisory opinion to determine whether the Ethics Ordinance would have prohibited *this City department* from accepting used computer equipment from *a private company*. You informed the Board of Ethics staff that *this company* donated two *computers* and the total value for the two computers was estimated at \$12,000. It is also our understanding that: (1) *this company* does not have any contracts with *this City department*; and (2) the computers were reported to the Comptroller's Office and added to the inventory of City property.

The Ethics Ordinance contains two sections which are relevant to these circumstances, sections 26.2-4(c) and 26.2-4(f). Section 26.2-4(c) states that:

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,... 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).




*This department's* acceptance of this gift would not violate section 26.2-4(c) since there is no specific City business, service or regulatory transaction currently pending which might affect the economic interests of *this private company.*

Please note that under section 26.2-4(f) of the Ethics Ordinance, City officials and employees may accept gifts of any kind on the City's behalf, provided that the person accepting the gift promptly report receipt of the gift to the Board of Ethics and to the Comptroller. The Board of Ethics requires City officials and employees to file a Gift Disclosure Form (enclosed) to report information about gifts accepted on behalf of the City.

After reviewing the facts of this case at its September 14, 1988 Board meeting, the Board confirmed the staff's conclusion that *this city department's* acceptance of the computers is permitted under the Ethics Ordinance. The conclusion was based on the following facts: (1) *The private company* does not do business with the City; and (2) *This city department* reported the gift to the Comptroller's Office and the gift was added to the inventory of the City.

If you have any questions regarding this matter, please contact the Board at 744-9660.

Sincerely,

  
S. Brandzel  
Chairman

JH,