

DATE: March 12, 2014

RE: **Case No.: 14011.Q, Prohibited Political Activity, §2-156-135**

On March 7, 2014, a [City employee working at City Council], asked whether [redacted] acceptance and delivery at City Hall of USPS mail, addressed to aldermen and City Council staff, that appears political in nature, would violate the City's Governmental Ethics Ordinance ("Ordinance").

Staff advised [redacted] on March 12 that §§2-156-135(a) and (b) of the Ordinance prohibit City employees and officials from "intentionally perform[ing] prohibited political activity during any compensated time," and from "intentionally misappropriate[ing] any city property or resources ... in connection with any prohibited political activity," and includes, in the definition of "prohibited political activity," (§2-156-010(v-1)(11)) "distributing ... campaign signs, or any campaign material on behalf of any candidate for elected office ...". However, the Ordinance also specifically exempts from this prohibition activity that a City employee or official performs as part of his or her official City duties, as here. Thus, staff advised [redacted] that simply delivering mail to its addressed recipient, in the course of [redacted] normal work duties, even if that mail is known or suspected to be "political," is not prohibited political activity for purposes of the Ordinance, and that therefore this activity does not violate the Ordinance's prohibition on political activity.