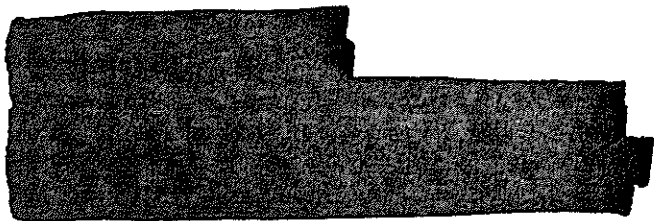


MEH



June 1, 1988

City of Chicago
Eugene Sawyer, Acting Mayor



Board of Ethics
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Executive Director

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Case Number 88070.A

Dear

This letter is in response to your request for an advisory opinion concerning the status of guest passes you received from *a professional athletic team* for distribution to Aldermen and selected City employees. According to the information given to us the passes are valid for the entire season. The value of the passes exceeds \$50.00.

Based on this information, the Board reached the following conclusion. We recommend that each person limit his or her use of these passes such that the market value of the benefits he/she receives does not exceed approximately \$50.00. Our rationale for this recommendation is discussed in the attached memorandum which should be distributed to each recipient of *these* passes. In addition to the general policy expressed in this memorandum, there are additional reasons why it would be inappropriate for City employees and officials to accept more than \$50 worth of tickets under the present circumstances.

Section 26.2-4(c) of the Ordinance 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).



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Accepting a gift will constitute a violation of this section only if all of the following conditions are met: 1) the donor has an economic interest in a transaction with the City; 2) the recipient is a City official or employee in a position to substantially affect this transaction; and 3) the gift is either cash or any item of or service worth \$50.00 or more.

Under a broad interpretation of this section, these three conditions would currently exist if the recipients accepted the tickets.


First, the donor, may be said to have an economic interest in a transaction with the City because of the current financial negotiations. The team stand to financially benefit or lose from the current negotiations.

Secondly, an alderman or a City official can substantially affect the donor's transactions with the City. An alderman is in a position to influence legislation affecting this team and the specific area of interest.

Finally, the gift in question is potentially worth more than \$50.00. The Board believes that the value of the passes corresponds to the market value of the benefits which are potentially afforded to the recipient. The market value of the entertainment benefits that could be received if each party used all of the passes is substantially greater than \$50.

We, therefore, believe that the passes constitute a gift worth more than \$50.00. Consequently, we recommend that any party receiving the passes limit their usage to a \$50.00 maximum value. The balance of the passes can either be returned or, under the supervision of the Comptroller, donated to a charity. A letter for each party to be distributed with the passes is attached. We very much appreciate your inquiry and your concern for maintaining the ethical standards embodied in the Ethics Ordinance. If you have any further questions concerning these or other related matters please do not hesitate to contact our office.

Sincerely,


S. Brandzel
Chairman

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