

me/d



January 19, 1990

City of Chicago
Richard M. Daley, Mayor

[REDACTED]

Board of Ethics

Albert F. Hofeld
Chair

Angeles L. Eames
Vice Chair

Margaret Carter
Russell Hardin

Marlene O. Rankin
Catherine M. Ryan

Suite 530
205 West Randolph Street
Chicago, Illinois 60606
(312) 744-9660

Re: _____ Case Number 89154.Q

With regard to the attached Case Number 89154.Q, you have asked whether, if the nominee for the position of Chairman *ONE of the City* *AGENCIES* did not accept compensation from the *AGENCY*, he could serve as the Chairman of the *AGENCY*, and continue his private law practice as described in the query letter without violating Section 26.2-9 of the Governmental Ethics Ordinance.

If *he* did not receive compensation from the *AGENCY*, he would not be an "employee" under the Governmental Ethics Ordinance. Thus, Section 26.2-9(c) of the Governmental Ethics Ordinance, rather than 26.2-9(b) would apply to *his* representation of plaintiffs against the City. His representation of persons with interests adverse to those of the City would not be prohibited so long as that representation was wholly unrelated to his duties as Chairman of the *CITY AGENCY*.

If you have any further questions, please call me.

Sincerely,

Johnnie De Wilde

Johnnie DeWilde
Acting Executive Director

JDW/tl

