

MEH



City of Chicago
Eugene Sawyer, Acting Mayor

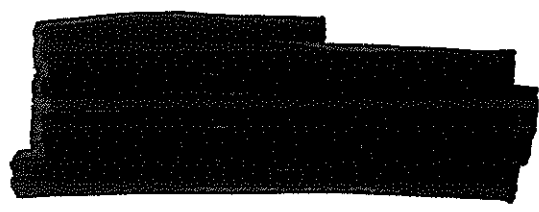
May 16, 1988

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Case Number 88056.A

CONFIDENTIAL

Dear

This letter is in response to your request for an advisory opinion concerning the implications of the Ethics Ordinance for your future employment plans. Specifically, you asked the Board to determine whether it would be permissible under the Ethics Ordinance for you to offer the services you currently provide the City as a vouchered employee through a private contract arrangement with the City.

It is our understanding that you resigned a job as *a member* of the City's Office of Special Events on *(date)* and have since that time worked for the Office of Special Events as a vouchered employee responsible for securing and negotiating contracts with corporate sponsors for City events. You have asked the Board to consider whether the Ethics Ordinance would allow you to offer these services to the City on the basis of a private contract with the City.

After reviewing the information you have provided us, the Board has determined that the post-employment sections of the Ethics Ordinance would prohibit you for one year subsequent to your current City employment, from engaging in a contract with the City for services you currently provide as a City employee. This opinion is based on an analysis of Section 26.2-10(b) of the Ordinance which states that:

No former official or employee shall, for a period of one year after the termination of the official's or employee's

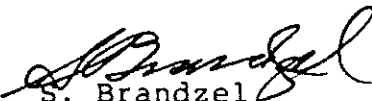


term of office or employment, assist or represent any person in any business transaction involving the City or any of its agencies, if the official or employee participated personally and substantially in the subject matter of the transaction during his term of office or employment; provided, that if the official or employee exercised contract management authority with respect to a contract this prohibition shall be permanent as to that contract.

The second part of this section that pertains to permanent prohibition, would not apply to you unless you propose to manage specific contracts which you previously negotiated as a City employee. However, the first part of this section that pertains to a one year prohibition would be relevant to the circumstances you describe. This portion of Section 26.2-10(b) prohibits for one year, a former employee from assisting or representing any person in a business transaction with the City if that employee participated personally and substantially in the subject matter of the business transaction during his City employment. In the employment arrangement you propose, you would be representing a person (yourself) in a business transaction with the City. The transaction in question would be a personal services contract between you and the City. The subject matter of this contract is an agreement concerning the procurement of corporate sponsors for City events. You have been personally and substantially involved in such agreements as a City employee and would therefore be prohibited from engaging in this business transaction with the City for one year. This year-long prohibition would begin from the date you terminate your current job with the City as a vouchered employee in the Office of Special Events.

We appreciate your inquiry and hope that this letter has adequately addressed your questions concerning post-employment. If you have further questions concerning this or related matters, please do not hesitate to contact the Board.

Sincerely,


S. Brandzel
Chairman