

ETHICS COMMISSION GRANT OF WAIVER REQUEST 2021-01

WHEREAS, pursuant to Wilm.C. § 2-340(b), no city employee may represent or otherwise assist any private enterprise with respect to any matter before the City; and

WHEREAS, pursuant to Wilm.C. § 2-340(c), no city employee or his or her private enterprise shall benefit from or be interested in any contract with the City, nor solicit any contract and shall not enter into any contract with the City; and

WHEREAS, pursuant to Wilm.C. § 2-342(a), the Ethics Commission may grant a waiver of the specific prohibitions contained in the City's Code of Conduct upon determining that the literal application of such prohibitions is not necessary to achieve the public purposes set forth in Wilm.C. § 2-339 or would result in the employee suffering an undue hardship; and

WHEREAS, the Ethics Commission met at its regular meeting of June 8, 2021, to consider the waiver request from the Mayor's Office through Tanya Washington, Chief of Staff, related to Ashley Christopher, an appointed Special Assistant to the Mayor, who seeks approval to enter into a contract with the City on behalf of HBCU Week Foundation Inc. for professional services; and

WHEREAS, Ms. Christopher founded HBCU Week Foundation, Inc., which is a non-profit corporation, with the mission "to encourage high-school aged youth to enroll into HBCU's, provide scholarship dollars for matriculation and sustain a pipeline for employment from undergraduate school to corporate America;" and

WHEREAS, starting in 2017 one of Ms. Christopher's duties had been the founding, development, and execution of HBCU Week, and in 2020 the City decided to spin off

responsibilities for HBCU Week to a non-profit entity to increase private sponsorship opportunities and in turn provide greater resources to Wilmington youth; and

WHEREAS, Ms. Christopher is a volunteer for HBCU Week Foundation, Inc. and receives no compensation from HBCU Week Foundation, Inc.; and

WHEREAS, upon reviewing the request and information provided by Ms. Washington and Ms. Christopher, the Ethics Commission found a literal application of Wilm.C. §§ 2-340(b), 2-340(c) is not necessary to achieve the public purposes set forth in Wilm.C. § 2-339; and

NOW, THEREFORE, BE IT APPROVED (by a majority of the members of the Ethics Commission who met at the duly convened meeting of June 8, 2021), that the Mayor's Office request for a waiver of the literal application of the prohibitions of Wilm.C. §§ 2-340(b), 2-340(c) is **HEREBY GRANTED** for the limited purpose of permitted Ms. Christopher to enter into contracts and agreements with the City of Wilmington on behalf of HBCU Week Foundation Inc. so long as Ms. Christopher remains an unpaid, volunteer for HBCU Week Foundation Inc. In negotiating such agreements with the City of Wilmington, Ms. Christopher may not do so with any subordinates.



William D. Johnston, Esquire
City of Wilmington Ethics Commission Chair