

February 18, 2019

██████████
██████████
601 W. Jefferson Street
Louisville, Kentucky 40202

RE: **Advisory Opinion 19-O-001**

Dear ██████████:

The Ethics Commission considered your request for an advisory opinion at its meeting on January 17, 2019 regarding whether a company owned solely by you, a new member of Metro Council, may maintain existing restoration cleaning contracts with Metropolitan Sewer District and Louisville Water Company.

Both Metropolitan Sewer District and Louisville Water Company are governed by separate Boards of Directors. The board members for both entities are appointed by the Mayor and approved by Metro Council. Contracts for services are approved by the respective Boards of Directors and not Metro Council. Louisville Water Company is required to submit quarterly financial statements to Metro Council for introduction and inclusion into the minutes.

The Ethics Ordinance does not specifically prohibit a company that you own from serving as a contractor for Metropolitan Sewer District and Louisville Water Company. Although it seems unlikely, in the event that a matter impacting your company's contracts requires formal action by Metro Council, pursuant to Section 21.03(C) you must disclose that information to the Ethics Commission and Metro Council. In that instance, you would be required by Section 21.02(B) and Section 21.03(D) to abstain from debating and voting on the matter. Further, pursuant to Section 21.02(F), you should not use any information that you obtain as a Councilmember to benefit your company. Lastly, you should disclose that your company is a contractor for the entities on the financial disclosure statement required by Section 21.03 of the Ethics Ordinance.

Please contact the Ethics Commission if you have further questions.

Sincerely,

David S. Waskey
Chairman of the Ethics Commission