

CONFIDENTIAL

July 27, 2010

[Art Milt]
[City Position]
[Chicago Department]
[Location]
Chicago, IL 606[xx]

Re: Case No. 10038.Q

Dear Mr. [Milt]:

You are the [City Position] for the Chicago [Department] ("CD"), and oversee the development and maintenance of the CD's [Materials]. On July 26, 2010, you sent us an email, dated June 20, 2010, from the [sponsor]. The [Sponsor] has invited you, on behalf of the [Co-sponsor I] "CS1") and the [Co-sponsor II] ("CS2"), to attend the [Conference], which will be held in [Foreign City], September 29th to October 1, 2010. According to the materials you sent us, other [members of your profession] have been extended the same invitation. Your expenses, including round-trip Chicago-[Foreign City] coach airfare, four nights accommodation, show registration and admission tickets to all fair events, will be paid jointly by CS1 and CS2. You have asked staff whether the City's Governmental Ethics Ordinance prohibits you from accepting this offer.

[Conference], which is held annually, is the world's largest [profession specific conference], drawing representatives of over 800 [related professionals] worldwide. In fact, this is the 9th consecutive [Conference] to which you or other [CD] personnel have been invited, and that we have addressed. At [Conference], you will have the opportunity to improve your knowledge of and familiarity with the leading [professionals] in the [content area] world, as well as sharing ideas and experiences with fellow [members of your profession]. You told staff that your attendance at [Conference] would benefit the City and enhance your ability to perform your City duties, and that you have already received approval for attendance from the [CD] Commissioner and your immediate [CD] supervisors.

In addition to this, this year [Co-Sponsor III] ("CS3") is giving its third [member of the profession] of the Year Award, which will be bestowed upon an American [member of the profession] responsible for a [materials] in his or her [workplace], and whose work has been noticeable during the year. You will be able to vote for your candidate by sending the Commission an email with the name of the [member of the profession] of your choice and if you so wish, the reason why you

are recommending that person. The deadline for casting votes is September 15th, 2010. From all recommendations, five finalists will be selected, and the winner will announced during the presentation of the [members of the profession] in [Conference], on the morning of September 29th. The award will consist of \$2,500 and a check will be given to the winner at that time. This year, the hosts will be publishing the second volume of the [Professional publication], and they sent you a form to fill out with at least one recommendation, to be included in the guide, which will be presented during [Conference].

Under § 2-156-040(d) of the City's Governmental Ethics Ordinance, City employees are not prohibited from accepting hosting expenses, including travel, meals and entertainment, if: (1) the expenses are reasonable; (2) the expenses are furnished in connection with public events, appearances or ceremonies related to official City business; (3) the expenses are furnished by the sponsor of the public event; and (4) the offer is not based upon any mutual understanding that the official decisions or actions of any City employee concerning the business of the City would be influenced.

Based on our review of the written invitation materials you sent us, staff concludes that all the conditions listed in § -040(d) of the Ordinance are met, and thus that the Ordinance does not prohibit you from accepting these travel and hosting expenses. Our conclusion is consistent with advice we have given to you and other similarly situated employees in the past. (See Case Nos. 09035.Q, 08042.A, 07036.Q, 06041.Q, 05049.Q, 04038.Q, 03039Q.and 02029.Q). As you noted in your email (and as we have advised you in past years), you will, as a matter of policy, seek the approval of the Mayor's Chief of Staff for this trip, seeing that it is for overseas travel. Further, based on our review of the written invitation materials you sent us, there would be no prohibition on accepting the award if a Chicago [member of your profession] won the [professional] Award described above.

Staff's conclusion does not necessarily dispose of all issues relevant to this situation, and is based solely on the application of the City's Governmental Ethics Ordinance to the facts stated in this letter. If the facts stated are incorrect or incomplete, please notify us immediately, as any change may alter our conclusion. Other laws or rules also may apply to this situation. Be advised that City departments have the authority to adopt and enforce rules of conduct that may be more restrictive than the limitations imposed by the Ordinance.

We appreciate your inquiry and your concern to abide by the standards embodied in the Ordinance. If you have any further questions, please do not hesitate to contact us.

Very truly yours,

Steven I. Berlin
Executive Director

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