

FNWS

October 8, 1998

C O N F I D E N T I A L

[]
[]
[]
[]
[]
[]

Re: Case No. 98039.Q (Supplementary Letter)
Request concerning [Alpha] Traffic Safety
Seminar (Travel)

Dear []:

This letter is a supplement to our September 1 response to your earlier inquiry. You had asked whether the department may accept [Alpha] Corporation's payment of travel expenses, including meals and lodging, for two employees to attend an information and training seminar sponsored by [Alpha] at its [] laboratories in [another city]. On October 8, you said the department would like to send four additional employees to the seminar, which has been reset for October 28 and 29. The four are the First Deputy Commissioner, the Chief [], and, from the Bureau of [], the Deputy Commissioner and Assistant Chief [].

You said that the circumstances concerning the seminar and the employees are the same as those described in the earlier inquiry and you emphasized that the department views the educational and informative value of the seminar so highly that if the department were unable to accept the offer of assistance by [Alpha], the department would send the four additional employees at its own expense.

There is nothing in the facts relating to the attendance by the four additional employees that would warrant a conclusion different from that provided in our earlier letter. As we advised there, based on prior cases and the facts your department presented, the Governmental Ethics Ordinance does not prohibit the Department [] from accepting payment of expenses by [Alpha], as long as the expenses accepted are reasonable and reasonably related to the purposes and function of the seminar, and serve to benefit the City, rather than benefit the employees in

EMWS

Case No. 98039.Q (Supplementary Letter)
October 8, 1998
Page 2

their personal capacity. Further, the offer must not be made in exchange for the employees' willingness to influence City decisions concerning [Alpha].

The staff opinion in this case is based on the application of the City's Governmental Ethics Ordinance to the facts stated in this letter. If the facts as presented are inaccurate, please notify us, as a change in facts may alter our opinion.

We appreciate the Department []'s sensitivity to the standards of the Ethics Ordinance and its willingness to comply with them. If you have any further questions, please contact us.

Very truly yours,

- signature -

Ellen M. W. Sewell
Legal Counsel

Approved:

- signature -

Dorothy J. Eng
Executive Director