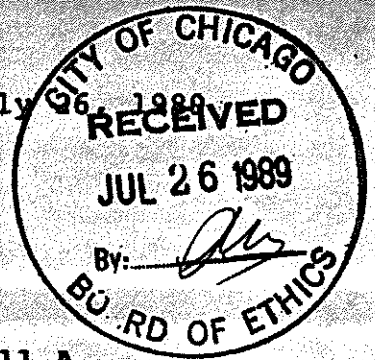


CONFIDENTIAL

July 26, 1989



City of Chicago
Richard M. Daley, Mayor

Board of Ethics
Harriet McCullough
Executive Director

Sol Brandzel
Chair

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Vice Chair

Margaret Carter
Angeles Eames
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Rev. A. Patterson Jackson
Marlene O. Rankin

Suite 530
205 West Randolph Street
Chicago, Illinois 60606
(312) 744-9660

CONFIDENTIAL

Case No. 89111.A

Dear [Redacted]

This letter is in response to your request for an opinion concerning the Ethics Ordinance and its possible application to your plans to attend a course sponsored by a company.

In your letter you indicate that you, along with the Commissioners of several Departments of the City of Chicago have been invited by this company to attend a three day course to be held over a weekend in 1989 at the company's center for executive studies in another state.

According to the material from that company which accompanied your letter, the general purpose of the course is to familiarize policy level officials of state and local governments with the use of data processing systems and their applications in the management of public agencies.

It is our understanding that this company has invited a number of elected officials, administrative officials and department directors of various public bodies who are current customers of this company; and that the company has offered to pay for meals and accommodations in addition to the costs of the course. You have stated that the training course would be of particular benefit, since you and the Commissioners of other Chicago departments who have been invited, will be involved in the implementation of the City-wide system, a system which will utilize this company's equipment.

Section 26.2-4 of the Ethics Ordinance contains three key restrictions on the acceptance of gifts and benefits.* It prohibits City employees and officials from accepting:

- 1) gifts from anonymous donors;
- 2) gifts based on a mutual understanding between donor and recipient that the latter's governmental actions will be influenced by the gift;



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3) *gifts from persons who do business with the City if the recipient is in a position to substantially influence decisions with respect to the donor's City business.

However, in addition to these restrictions, the Ordinance explicitly allows City officials and employees to accept hosting and travel expenses under certain conditions. Section 26.2-4 (a)(iv) allows that employees may accept hosting expenses provided all of the following six conditions are met:

- 1) the expenses are not given by an anonymous donor;
- 2) the expenses are not given on the basis of an understanding between donor and recipient that the latter's governmental actions will be influenced by the gift;
- 3) the expenses are "furnished in connection with public events, appearances or ceremonies;"
- 4) the public events or ceremonies are "related to official City business;"
- 5) these expenses are "furnished by the sponsor of such public events;" and
- 6) these expenses are "reasonable."

Based on the information you have given us and upon the information we have received from ^{his} ~~company~~ ^{company} we believe that your acceptance of lodging and meals from ~~the~~ ^{the} ~~company~~ ^{company} to attend the course described would meet the conditions enumerated above and would therefore be permissible under the Ethics Ordinance. However we wish to emphasize that our opinion is based upon the understanding that this course in data processing would be integral to your work as a City ~~employee~~ ^{employee} and that these

* The Ordinance defines the term "gift" broadly to mean anything of value. Therefore these provisions would generally apply to the acceptance of lodging, meals and entertainment.

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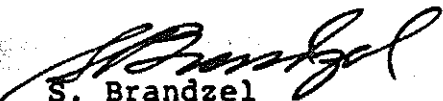
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benefits are not being offered to you in exchange for your willingness to influence the City's decisions concerning current and future business with this company.

This opinion may be relied upon by the Commissioners of the other departments of the City attending this course provided that the circumstances under which they would attend are identical to those surrounding your own attendance.

We appreciate your inquiry and hope that this letter has sufficiently addressed your question. If you have additional questions please do not hesitate to contact our office.

Sincerely,


S. Brandzel
Chairman

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