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October 14, 1998

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

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Re: Case No. 98050.Q
Request concerning [Alpha] Seminar on
Intelligent [] Systems (Travel)

Dear Commissioner []:

This letter is in response to the inquiry of
September 29 about whether the Department [
] may accept payment of
expenses from [Alpha] Corporation, including costs
of meals and lodging, for two employees of the
Bureau [] to attend a two-day
information and training seminar in late October.
[Alpha] is sponsoring the seminar at its [
] Research and Safety Center and laboratories
in [another state].

According to the department, the seminar,
primarily on "intelligent [] systems"
will be advantageous to the City and is integral
to the two employees' City work. It is the
opinion of Board staff, based on prior cases and
the facts your department presented, that the
Governmental Ethics Ordinance does not prohibit
acceptance of payment of travel, including
expenses of meals and lodging, as long as the
expenses accepted are reasonably related to the
purposes of the seminar and serve to benefit the
City, rather than the employees, personally; and
that the offer is not made in exchange for their
willingness to influence City decisions concerning
business of the company.

The staff reviewed the September 28 memorandum to
you from [John], Deputy Commissioner in
the Bureau [], and the letter of
invitation from [Alpha] dated September 25, and
discussed the issues with [John].

[John] explained that [Alpha] is a current
vendor for the City: the City has a term agreement
of the catalogue type with the company. (Under an
agreement of that type, a City department may
purchase items available through the catalogue
according to its needs, but is not obliged to



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purchase any particular items or spend a certain amount.) The Bureau [] purchases certain specialized traffic signal lights that [Alpha] produces, according to [John].

The focus of the seminar, intelligent [] systems, includes, for example, computerized timing of signals, use of computers and videos for monitoring traffic flow, and video detection. These are matters within the responsibility of the Bureau [], and the Bureau needs to keep itself informed of recent developments, according to [John]. One topic is an electronic system of preemption for certain types of vehicles (e.g., emergency vehicles or CTA buses) which the bureau would install and maintain, he said, if the City decided to use such a system.

The seminar will include "hands-on" laboratory demonstrations, which are particularly helpful, [John] explained.

The two employees who will be sent are [John], Deputy Commissioner of the Bureau, and [Michael], Foreman of [specialized workmen], selected by [John] as the City employee most knowledgeable about [the subject.] The department sends [Michael] annually to a seminar (run by the International [] Association) to upgrade his knowledge so that he can keep abreast of technological developments in the field, according to [John]. Attendance at the seminar, [John] said, will provide important information and will help him and [Michael] perform their duties for the bureau.

[John] said that the department views the educational and informative value of the seminar so highly that if the department is unable to accept the offer of assistance by [Alpha], the City would likely send the two employees at its own expense.

The Board staff concludes that nothing in the Ordinance prohibits the Department [] from accepting payment of expenses by [Alpha], as long as the expenses accepted are reasonable and reasonably related to the purposes and functioning of the seminar, and serve to benefit the City, rather than benefit the employees in their personal capacity. Further, the offer must not be made in exchange for the employees' willingness to influence City decisions concerning [Alpha]. Staff's conclusion is consistent with past opinions, in which manufacturers and suppliers have provided expenses of travel and accommodations for City employees to attend educational seminars and demonstrations relating to advances in technology in the products the companies offer, and the

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department has said that attendance at the seminars will assist it in carrying out its City responsibilities. (See, e.g., Case Nos. 98039.Q, 97014.Q, 96020.Q, 94010.Q, and 91075.Q.)

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

cc: John