

CONFIDENTIAL

August 24, 2009

[REDACTED]

Chicago, IL 60605

Re: Case No. 09035.Q

Dear [REDACTED]:

You are the [REDACTED] for the [REDACTED], and oversee the development and maintenance of the [REDACTED]'s English and foreign language children's book collections (which includes buying books for the collection). On August 13, 2009, you sent us an email, dated July 16, 2009, from the [REDACTED]. The [REDACTED] has invited you, on behalf of the [REDACTED], to attend the [REDACTED], which will be held in [REDACTED], October 7-9, 2009. According to the materials you sent us, other U.S. [REDACTED] and [REDACTED] have been extended the same invitation. Your expenses, including round-trip [REDACTED] coach airfare, four nights accommodation, show registration and admission tickets to all fair events, will be paid jointly by [REDACTED] and [REDACTED]. You have asked staff whether the City's Governmental Ethics Ordinance prohibits you from accepting this offer.

[REDACTED], which is held annually, is the world's largest Spanish-language book fair, drawing representatives of over 800 publishing houses, as well as librarians, book sellers and distributors, authors and journalists worldwide. In fact, this is the [REDACTED] consecutive fair to which you or other [REDACTED] personnel have been invited, and that we have addressed. At [REDACTED], you will have the opportunity to improve your knowledge of and familiarity with the leading professionals—publishers, booksellers, distributors, authors, journalists, designers and dealers in the Spanish and South American publishing world, as well as sharing ideas and experiences with fellow librarians. You told staff that your attendance at [REDACTED] would benefit the City and enhance your ability to perform your City duties, and that you have already received approval for attendance from the [REDACTED] Commissioner and your

immediate [REDACTED] supervisors.

In addition to this, this year [REDACTED] is giving its second [REDACTED] of the Year Award, which will be bestowed upon an American [REDACTED] responsible for a Spanish collection in his or her [REDACTED], and whose work has been noticeable during the year. You will be able to vote for your candidate by sending the [REDACTED] an email with the name of the [REDACTED] of your choice and if you so wish, the reason why you are recommending that person. The deadline for casting votes is September 15th, 2009. From all recommendations, five finalists will be selected, and the winner will announced during the presentation of the [REDACTED] in [REDACTED], on the morning of October 7th. The award will consist of \$2,500 and a check will be given to the winner at that time. All 5 finalists will be invited to dinner in a trendy [REDACTED] restaurant.

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. 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 [REDACTED] won the [REDACTED] 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.

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Very truly yours,

Steven I. Berlin
Executive Director