

**From:** Rutan, Ed  
**Sent:** Monday, March 30, 2009 1:45 PM  
**To:** Shreeve, Bianca  
**Cc:** Ferguson, Boyd  
**Subject:** RE: Please come!

Bianca—

The \$35 per ticket value falls below the \$50 threshold in the City ordinance on gifts (unless an employee would also be given a ticket for a guest), but the Executive Order on Employee Acceptance of Gifts applies across the board without any exception based on value. The offer of the tickets is clearly being made because the people are City employees. (see para. 1.4) Thus the Executive Order would apply unless there is a specific exception. As a general rule, the Executive Order prohibits employees from accepting gifts “except when reasonably necessary to, or helpful in, performance of their duties.” (para. 1.1) I don’t see how attendance at the preview would be “reasonably necessary to” or “helpful in” members of the Mayor’s staff performing their duties.

Paragraph 1.6 does provide that “Employees invited to represent the City at a social, cultural, charitable, political, civic, or business function should accept the hospitality of the occasion because such functions are a ‘reasonably necessary’ or ‘helpful’ part of doing the job for the taxpayers.” However, I do not think that this exception is applicable here for two reasons. First, the spirit of the exception would only apply to the one or two City employees most directly involved, not to a general group like the Mayor’s staff as a whole. Second, the exception is really directed to consuming the food and beverages at an event that does not have a charge to attend.

With respect to the first point, it is possible that the Mayor or the Chief of Staff might qualify for the exception given the nature of their responsibilities, but it is my understanding that neither of them is available on the night in question.

Thanks

Ed

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**From:** Shreeve, Bianca  
**Sent:** Monday, March 30, 2009 10:36 AM  
**To:** Rutan, Ed  
**Subject:** FW: Please come!

Another “gift policy” question for you.

Bianca Shreeve  
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**From:** Lisa Davis [mailto:[lisadavisslc@att.net](mailto:lisadavisslc@att.net)]  
**Sent:** Sunday, March 29, 2009 3:41 PM  
**To:** Shreeve, Bianca  
**Subject:** Please come!

Bianca,

I hope you and all the Mayor's staff have received invites to the exclusive Leo guest-only preview of "Di Esperienza" – the newest production by Plan B Theatre (this Thursday, 7 p.m. at The Rose).

The play is a joint venture between The Leonardo, Plan B and the Utah Shakespearean festival's New American Playwrights Project.

The D-News reviewed it on Sunday, in case you'd like to get a better idea of what it's all about:

<http://www.deseretnews.com/article/705293531/Leonardos-doubts-surface-in-Di-Esperienza.html?pg=1>

Although we're positioning this as a mini fundraiser to begin cultivating a few specific donors, please know (and pass along), that you and you're colleagues should consider yourselves our guests.

Just RSVP to me and/or Angela Dean ([adean@theleonardo.org](mailto:adean@theleonardo.org)).

Hope all of you (and your guests) can make it.

And you and I still need to get that drink!

Best,

Lisa

801/230-9399