

MEH

April 23, 1991

CONFIDENTIAL

[REDACTED]

RE: Post-employment
§1049.01

Dear [REDACTED]:

Thank you for your telephone call of April 15, 1991. During that conversation, you asked how long a person would have to wait after he or she left City employment before they could enter into a contract with the City. You explained that at the present time, you are in the beginning stage of putting together a new business that would involve doing business with the City.

Since you were unable to describe the business or its involvement with the City in detail, we are limited in the guidance we can give you at this time. Without a complete set of facts, the Board of Ethics cannot at this time render an advisory opinion, as it rules on specific factual situations. However you may contact us when you have formulated the business idea, and the Board will render a formal advisory opinion.

As I explained to you over the telephone, section 2-156-100(b) of the Governmental Ethics Ordinance, the post-employment provision, permanently prohibits a former City employee from assisting or representing any person in a business transaction or particular contract over which he or she exercised "contract management authority" while employed with the City. The term "contract management authority" is defined as "personal involvement in or direct supervisory responsibility for the formulation or execution of a City contract, including without limitation the preparation of specifications, evaluation of bids or proposals, negotiation of contract terms or supervision of performance." § 2-156-010(g). The term as defined includes every stage of the formulation of a City contract.

This provision of the post-employment section also prohibits a former City employee for one year from assisting or representing any person in any business transaction involving the City if (1)



City of Chicago
Richard M. Daley, Mayor

Board of Ethics

Dorothy J. Eng
Executive Director

Albert F. Hofeld
Chair

Angeles L. Eames
Vice Chair

Margaret Carter
Darryl L. DePriest
Fr. Martin E. O'Donovan
Marlene O. Rankin
Catherine M. Ryan

Room 303
320 North Clark Street
Chicago, Illinois 60610
(312) 744-9660

██████████
April 23, 1991
Page 2

the transaction involves a subject matter or area of City business in which the person participated as a City employee and (2) the person's participation in this subject matter or area was personal and substantial.

To provide you with additional guidance, I enclose sanitized copies of Board advisory opinions dealing with the Ordinance's post-employment provisions. Although we do not have a past opinion directly related to your situation, these should give you a better understanding of how the Board applies these provisions.

For your convenience, I also enclose a copy of the Governmental Ethics Ordinance for your review, and point out that certain provisions restrict the extent to which you can perform particular activities with regard to this idea while still employed with the City. These sections address improper influence, § 2-156-030, use of City-owned property, § 2-156-060, conflicts of interest, § 2-156-080, representation of others, § 2-156-090, and interest in City business, § 2-156-110.

If you have any further questions regarding this matter or some related issue, please do not hesitate to contact us.

Sincerely,

Marilyn E. Hanzal

Marilyn E. Hanzal
Legal Counsel

Approved:

Dorothy J. Eng
Dorothy J. Eng
Executive Director

Enc.

MEH: ██████████

Copies sent of: 91036.A
90063.A
89119.A
89104.A
88086.A
88055.A