

AN ORDINANCE AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF PEORIA
PERTAINING TO OFFICERS' AND EMPLOYEES' ETHICS

WHEREAS, the City of Peoria is a home rule unit of government pursuant to Article 7, Section 6 of the Illinois Constitution of 1970 and has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and that protect the public health, safety and welfare of its citizens; and

WHEREAS, on June 28, 2005, the City Council adopted Ordinance No. 15799 which directed the City Manager to include language in contracts to all vendors who perform work for or provides goods and services to the City of Peoria to specifically include a clause prohibiting the hiring of City employees by said contractors; and

WHEREAS, Ordinance No. 15799 created Section 2-342 of the City of Peoria's Municipal Code; and

WHEREAS, Section 2-342 restricts certain employees from taking employment with City contractors following their separation from the City for a one year period; and

WHEREAS, due to the economic impact of global pandemic (COVID-19) the City of Peoria now faces a reduction in force, layoffs and an Early Retirement Incentive; and

WHEREAS, the City Council of the City of Peoria wishes to amend the clause in question to penalize employees who separate from their employment with the City due to a reduction in force or from the Early Retirement Incentive.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS, as follows:

Section 1. The above recitals are incorporated as if set forth herein.

Section 2. Section 2-340 is hereby amended by adding the following underlined language.

Sec. 2-342. - Procurement; revolving door prohibition.

- (a) No former officer or city employee shall within a period of one year immediately after termination of city employment, whether said termination was voluntary or involuntary, by retirement or otherwise, knowingly accept employment or receive compensation of fees for services from a person or entity if the officer or city employee, during the year immediately preceding termination of city employment, participated personally and substantially in the decision to award city contracts with a cumulative value of over \$25,000.00 to the person or entity, or its parent or subsidiary.
- (b) No former officer or city employee with regulatory (including monitoring of contract compliance) or licensing authority shall, within a period of one year immediately after termination of city employment, whether said termination was voluntary or involuntary, by retirement or otherwise, knowingly accept employment or receive compensation of fees for services from a person or entity if the officer or city employee, during the year

immediately preceding termination of city employment, made a regulatory (including monitoring of contract compliance) or licensing decision that directly applied to the personal or entity, or its parent or subsidiary.

- (c) The requirements of this section 2-342 may be waived by the fair employment and housing commission, which is hereby granted authority to hear these matters, upon request by current officers or employees contemplating employment, or at the request of former officers or employees. The waiver shall be granted upon a showing that the prospective employment or relationship did not affect the decisions referred to in sections (a) and (b).
- (d) A violation of section (a) or (b) of this section 2-342 shall be punishable by a fine of \$1,000.00. In addition, any person or entity employing a former officer or city employee in violation of this section shall be barred from entering into contracts with the City of Peoria for a period of two years.
- (e) This section shall not apply to any city employee involved in the 2018-2019 reduction in force, furlough or early retirement incentive offered by the city within 2018-2019.
- (f) This section shall not apply to any city employee involved in the 2020-2021 reduction in force, furlough or early retirement incentive offered by the City within 2020-2021.

SECTION 3. Effective Date. This ordinance shall be in full force and effect immediately upon its passage.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS this _____ day of _____, 2020.

APPROVED:

Jim Ardis, Mayor

ATTEST:

Beth Ball, City Clerk

EXAMINED AND APPROVED:

Corporation Counsel