

#### **SMC 4.16.075 Prohibited conduct after leaving City.**

A. A former Covered Individual may not disclose or use any confidential information gained by reason of his or her City work;

B. A former City officer or City employee may not, during the period of two years after leaving City Office or employment, assist any person on a matter in which he or she participated (unless excepted as described in Section G below);

C. A former City officer or City employee may not, during the period of one year after leaving City office or employment communicate, on behalf of any person on a matter involving the City, with an employee of the agency of the City with which he or she was previously employed (unless excepted as described in Section H below);

D. A former Covered Individual may not, during the period of one year after leaving City office or employment, participate as a competitor in any competitive selection process for a City contract in which he or she assisted the City in determining the project or work to be done or the process to be used in selecting a contractor.

E. A Covered Individual, who contracts with a former City officer or employee for expert or consultant services within one year of the latter's leaving City work, shall promptly inform the Executive Director about the agreement.

F. The prohibitions of Sections 4.16.075.B. and 4.16.075.C. shall not apply to former City officers or City employees acting as employees or agents of a governmental agency unless that governmental agency's interest in the matter is adverse to the interest of the City.

((G. Section 4.16.075.B shall not apply to any former City officer or employee involuntarily terminated from City service between January 1, 2010 and March 31, 2012, as a result of budget-related reductions in the City workforce, who is assisting any person in the performance of an existing contract with the City, unless such assistance would violate SMC 4.16.075.D. For this section 4.16.075.G to apply, the former employee must file with the Commission the statements referenced in sections 4.16.075.I and 4.16.075.J.))

((H. Section 4.16.075.C shall not apply to any former City officer or employee involuntarily terminated from City service between January 1, 2010 and March 31, 2012 as a result of budget-related reductions in the City workforce. For this section 4.16.075.I to apply, the former employee must file with the Commission the statement referenced in section 4.16.075.J.))

((I. In order to secure the exemption in section 4.16.075.G, the former employee must obtain the department head's written statement that the former employee's work on the contractor's behalf will serve the City's interests. The Executive Director must concur in writing with the department head's determination in order for the former employee to obtain the exemption in section 4.16.075.G.))

((J. In order to secure the exemptions in sections 4.16.075G and 4.16.075.H, the former employee must obtain a written statement from the head of the department in which with they were employed (i) that the officer or employee has been terminated as a result of a budget-related reduction in the City workforce, and (ii) that the officer or employee did not volunteer to be terminated, is required to establish that the officer or employee was involuntarily terminated from City service as a result of budget-related reductions in the City workforce.))

DRAFT