

CHAPTER 13 CODE OF ETHICAL CONDUCT¹

1-13-1 : DEFINITIONS.

Whenever used in this Chapter, the following terms shall have the following meanings:

1. "Board of Ethics" means the Cook County Board of Ethics serving as the Forest Preserve District Board of Ethics pursuant to an intergovernmental agreement between the District and County, and as governed by Chapter 2, Article VII of the Cook County Code, as those provisions are now approved or may be amended in the future.
2. "Appointee" means any person appointed by the Forest Preserve District President to any Boards, Commissions, Task Forces, or Councils created by Forest Preserve District Ordinance or State Statute that requires the approval, confirmation, or advice and consent of the Forest Preserve District Board.
3. "Board, Commission, Task Force, or Council" means any body created under Forest Preserve District Ordinance or State Statute whose members are appointed by the President of the Forest Preserve District subject to the approval, confirmation, or advice and consent of the Forest Preserve District Board.
4. "Candidate" means any person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at either a general primary election or general election or who has raised or expended money for themselves in pursuit of any of the following offices: Cook County Board President, Cook County Commissioner, Cook County Forest Preserve District President, and Cook County Forest Preserve District Board Commissioner.
5. "Chief Financial Officer" means the Treasurer as defined in Section 1-6-3 of the Forest Preserve District of Cook County Code of Ordinances.
6. "Collective bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act [5 ILCS 315/3(b)].
7. "Compensation" means money, things of value or other pecuniary benefit received or to be received in return for, or as reimbursement for, services rendered or to be rendered.
8. "Confidential Information" means any information that may be exempt from disclosure under the Illinois Freedom of Information Act, codified at 5 ILCS 140/1, et seq. or required to be held confidential by agreement.
9. "Contract management authority" means personal involvement in or direct supervisory responsibility for the formation or execution of a District contract, including without limitation the preparation of specifications, evaluation of bids or proposals, negotiation of contract terms or supervision of performance.

¹Ord. No. 22-0163, adopted March 15, 2022, repealed and replaced Ch. 13 in its entirety to read as herein set out. Former Ch. 13 pertained to the same subject matter, consisted of §§ 1-13-1—1-13-6, and derived from Ord. No. 99-O-09-09-03, adopted September 9, 1999; and Ord. No. 21-0315, adopted July 27, 2021.

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10. "Contribution" has the same meaning as that term is defined in Section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).
 11. "County" means the County of Cook.
 12. "Director of Compliance" means the District employee in charge of compliance who performs all tasks and responsibilities of such function as described in the District's Employment Plan and other tasks as assigned.
 13. "District" means the Forest Preserve District of County Cook and all government departments or agencies of the Forest Preserve District of Cook County.
 14. "Done Business or Doing Business" means any one (1) or any combination of sales, purchases, licenses, leases or contracts to, from or with the District in excess of ~~ten thousand dollars (\$10,000.00)~~ twenty-five thousand dollars (\$25,000.00) during the previous four (4) years.
 15. "Economic interest" means any interest valued or capable of valuation in monetary terms; provided that "Economic interest" is subject to the same exclusion as "Financial interest".
 16. "Employee" means an individual employed by the District whether part-time or full-time or by a contract of employment. Employees shall include individuals employed by District Officers as referenced in the Cook County Forest Preserve District Act [70 ILCS 810/5] for district business.
 17. "Employment" means activity in which one engages or is employed in return for compensation, including but not limited to self-employment and work as a consultant.
 18. "Ethics Director" shall mean the Director of the Cook County Board of Ethics who is acting as the Ethics Director of the Forest Preserve District Board of Ethics pursuant to an intergovernmental agreement between the District and County.
 19. "Familial relationship" shall mean a person who is a relative of an Official, Employee, or Appointee.
 20. "Financial interest" means:
 - a. Any interest as a result of which the owner currently received or is entitled to receive in the future more than one thousand two hundred dollars (\$1,200.00) per year;
 - b. Any interest with a cost or present value of five thousand dollars (\$5,000.00) or more; or
 - c. Any interest representing more than ten (10) percent of a corporation, partnership, sole proprietorship, firm, enterprise, franchise, organization, holding company, joint stock company, receivership, trust, or any legal entity organized for profit;
 - d. Provided, however, financial interest shall not include:
 - (i) Any interest of the spouse of an Official or Employee which interest is related to the spouse's independent occupation, profession, or employment;
 - (ii) Any ownership through purchase at fair market value or inheritance of less than one (1) percent of the shares of a corporation, or any value of or dividends of such shares, if such shares are registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended;
 - (iii) The authorized Compensation paid to an Official or Employee for their office or employment;
 - (iv) Any economic benefit provided equally to all patrons of the District;
 - (v) A time or demand deposit in a financial institution;

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- (vi) An endowment or insurance policy or annuity contract purchased from an insurance company;
 - (vii) Any accrued pension rights under Article 10 of the Illinois Pension Code, 40 ILCS 5/Art. 10, Forest Preserve District Employees' Annuity Benefit Fund, or any successor fund; or
 - (viii) With respect to a mutual fund, the individual securities of other instruments owned by the mutual fund.
- 21. "General Superintendent" or "Superintendent" shall mean the person who is nominated by the Forest Preserve District of Cook County Board President and confirmed by the Cook County Forest Preserve District Board to serve as Superintendent of the Forest Preserve District of Cook County.
 - 22. "Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an Official, Appointee, or Employee. Gifts shall exclude:
 - a. Anything for which the Official, Appointee or Employee or their spouse, domestic partner, civil union partner or Relative living with them pays the market value;
 - b. Any opportunities, benefits, or services that are available to an Official, Appointee, or Employee or their spouse, domestic partner, civil union partner or Relative living with them on the same terms and conditions as the general public; and
 - c. Any contribution that is lawfully made and reported under the Election Code or under this article associated with political fundraising for a political organization, political committee, or candidate for elected office.
 - 23. "Independent Inspector General" shall mean the person who is appointed to head the Office of the Independent Inspector General as provided for in Chapter 2, Administration, Article IV, Officers and Employees, Division 5, Inspector General, of the Cook County Code.
 - 24. "Official" means any elected District Official or any appointed non-employee member of any Council of the Forest Preserve District of Cook County. For purposes of this ordinance, any official appointed to the Board by statute in Section 5 of the Cook County Forest Preserve District Act, shall be considered an elected District Official. [70 ILCS 810/5].
 - 25. "Official action" means any decision or recommendation by a person acting in a capacity as an Official. Official action shall not include matters that are ministerial in nature.
 - 26. "Person" means any individual, entity, corporation, partnership, firm, association, union, trust, estate, as well as any parent or subsidiary of any of the foregoing, and whether or not operated for profit.
 - 27. "Political activity" means any activity in support of or in connection with any campaign for elective office or any political organization or political committee, but does not include activities relating to the support or opposition of any executive, legislative or administrative action; if in furtherance of the person's official duties, relating to bargaining; or that are otherwise in furtherance of the person's official duties.
 - 28. "Political committee" incorporates the definition of that term as it appears in the Illinois Election Code, 10 ILCS 5/9-1.8(a).
 - 29. "Political organization" means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9.3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

30. "Prohibited political activity" means:

- a. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- b. Soliciting contributions, including, but not limited to, the purchase of, selling, distributing, or receiving payment for tickets for any political fund-raiser, political meeting, or other political event.
- c. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
- d. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization or political committee for political purposes or for or against any referendum question.
- e. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization or political committee for political purposes or for or against any referendum question.
- f. Assisting at the polls on behalf of any political organization, political committee or candidate for elective office or for or against any referendum question.
- g. Soliciting votes on behalf of a candidate for elective office or a political organization or political committee or for or against any referendum questions or helping in an effort to get voters to the polls.
- h. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- i. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- j. Preparing or reviewing responses to candidate questionnaires in connection with a campaign for elective office or on behalf of a political organization or political committee for political purposes.
- k. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- l. Campaigning for any elective office or for or against any referendum question.
- m. Managing or working on a campaign for elective office or for or against any referendum question.
- n. Serving as a delegate, alternate, or proxy to a political party convention.
- o. Participating in any recount or challenge to the outcome of any election.

31. "Prohibited source" means any person or entity who:

- a. Is seeking official action:
 - (i) By any Official or Employee; or
 - (ii) In the case of an Employee, by the Employee or by the District, the Official or the other Employee directing the Employee;
- b. Does business or seeks to do business:
 - (i) With any Official or Employee; or

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- (ii) In the case of an Employee, with the Employee or with the District, the Official or the other Employee directing the Employee;
 - c. Conducts activities regulated:
 - (i) By any Official or Employee; or
 - (ii) In the case of an Employee, by the Employee or by the District, Official or other Employee directing the Employee;
 - d. Has interests that may be substantially affected by the performance or non-performance of the official duties of the Official or Employee; or
 - e. Is a compensated lobbyist on District matters or is registered or required to be registered with the Secretary of State under the Lobbyist Registration Act, 25 ILCS 170/1, et. seq.
32. "Publicly post or publicly display" means to intentionally communicate or otherwise intentionally make available to the general public.
33. "Relative" means an Official's, Employee's, or Appointee's spouse, domestic partner, civil-union partner, parent, step-parent, child, step-child, grandparent, sibling, step-sibling, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, half-brother, or half-sister, and all of the preceding forms of relation to the Official's, Employee's, or Appointee's spouse, domestic partner, or civil union partner (if any). With respect to any terms in this definition that are gendered, the non-gendered form of the same term is deemed included.
34. "Seeking to do business" means taking action within the past six (6) months to obtain a contract or business with the District when, if such action were successful, it would result in the person doing business with the District. This includes responding to a request for qualifications, joining a pool of pre-qualified vendors or any similar procurement vehicle. The presumption that such a person is "seeking to do business" will last for the same duration as any RFQ, pre-qualified pool or similar procurement vehicle remains valid for all qualified respondents.
35. "State" means the State of Illinois.
36. "Statement" means the disclosure of economic interest form required to be filed by the Illinois Governmental Ethics Act, 5 ILCS 420/4A-101 et seq.

(Ord. No. 22-0200, 6-14-22)

1-13-2 : CODE OF CONDUCT.

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I. *Post-Employment Restrictions.*

1. No former Official, Employee, or Appointee shall assist or represent any Person other than the District in any judicial or administrative proceeding involving the District if the former Official, Employee, or Appointee was counsel of record on the specific matter or participated personally and substantially in the proceeding during term of office or employment.
2. No former Official, Employee, or Appointee shall, for a period of three hundred sixty-four (364) calendar days following the termination of the Official's or Employee's term of office or employment, assist or represent any Person in any business transaction involving the District, if the Official, Employee, or Appointee participated personally and substantially in that transaction during their term of office or employment.

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3. Except as provided in subsection 1.6, of this Section, no Official, Employee, or Appointee may, for a period of three hundred sixty-four (364) calendar days following the termination of their term of office or employment, knowingly accept employment or receive any form of compensation, consideration, or fees for services from any person if the Official, Employee, or Appointee participated personally and substantially in the decision to award a contract with a value of more than ~~fifteen~~ twenty-five thousand dollars (~~\$15,000.00~~\$25,000.00) on behalf of the District, or District contracts with a cumulative value of more than, ~~fifteen~~ twenty-five thousand dollars (~~\$15,000.00~~\$25,000.00) on behalf of the District, to the person offering such employment, compensation, consideration, or fees for services during the three hundred sixty-four (364) calendar days prior to the termination of the Official, Employee, or Appointee's term of office or employment.
 4. Except as provided in subsection 1-13-2:~~4~~6, of this Section, for a period of three hundred sixty-four (364) calendar days following the termination of their term of office or employment, no former Employee, Official, or Appointee may knowingly and for compensation lobby any District agency, board, commission, Official, Appointee, on behalf of any other person.
 5. Except as provided in subsection 1-13-2:~~4~~6, of this Section, for a period of three hundred sixty-four (364) calendar days following the termination of their term of office or employment, no former Employee, Official, or Appointee may contract with the District to provide more than ~~fifteen~~ twenty-five thousand dollars (~~\$15,000.00~~\$25,000.00) in compensated professional services to the District or otherwise receive more than ~~fifteen~~ twenty-five thousand dollars (~~\$15,000.00~~\$25,000.00) in compensation for their labor from the District, unless the agency seeking to retain the former Official or Employee's services provides a certification to the Board of Ethics and the Director of Compliance that the former Official or Employee's District experience or expertise is such that retention of that person for the specific services at issue is necessary to provide continuity of operations and/or will provide significant efficiencies to the District over hiring an Employee or engaging an outside vendor to perform such services. Where the Employee will be returning to the same department, the required certification shall be made by the department head. A copy of this certification shall be filed with the Secretary of the Forest Preserve District of Cook County Board of Commissioners.
 6. The requirements of this Section may be waived by the Board of Ethics upon a showing by the former Official or Employee that such waiver would not result in a conflict of interest or in the disclosure of the District's information. Additional requirements for waiver may be further defined by rules adopted by the Board of Ethics.
 7. This Section applies only to persons who terminate an affected position on or after the effective date of this article.

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N. *Limitations of Contributions to Candidates and Elected Officials.*

1. For the purposes of this Section, Done Business or Doing Business means any one (1) or any combination of sales, purchases, licenses, leases or contracts to, from or with the District in excess of \$10,000.00 during the previous four (4) years.
- ~~12~~. No person who does business with the District, who has done business with the District during the preceding four (4) years, is seeking to do business with the District, is registered with the State to lobby the District, is seeking official action or has sought official action by the District during the preceding four (4) years; is an officer, director or partner of a firm, contracted by the District to act as financial counsel, bond counsel, underwriter's counsel, legal counsel, or financial manager for the issuance of any bond and directly working on said bond transaction; or is a firm, officer, director or partner, contracted by the District to provide financial audits of District finances and directly working on said contract shall make contributions in an aggregate amount exceeding one thousand five hundred dollars (\$1,500.00) in a calendar year to any local, state, or federal political committee that is established in

support of a specific candidate for District office or to any local, state, or federal political committee that is established in support of a specific candidate for District office or an elected District Official. The combined effect of these provisions is intended to permit total contributions up to, but not exceeding, one thousand five hundred dollars (\$1,500.00) in a calendar year.

A year for purposes of this section is from January 1 to December 31 of each year.

- ~~23.~~ For purposes of subsection ~~12~~, above, an entity and its subsidiaries, parent company or otherwise affiliated companies [including a separate segregated fund of an entity, as that term is described in 52 U.S.C. § 30118(b)], shall be considered a single person. The political contributions of an entity's employees, officers, directors and partners who make a political contribution for which they are reimbursed by the entity or its affiliates shall be considered a single Person. However, nothing in this provision shall be construed to prohibit such an employee, officer, director or partner from making a political contribution for which such individual is not reimbursed by a Person with whom such individual is affiliated, even if that Person has made the maximum contribution allowed under subsection ~~12~~.
- ~~34.~~ No Appointee or District Official whose board or commission appointment provides for compensation and requires confirmation by the Cook County Forest Preserve District Board of Commissioners shall make contributions in an aggregate amount exceeding one thousand five hundred dollars (\$1,500.00) in a calendar year to any local, state, or federal political committee that is established in support of a specific candidate for District office. A year, for purposes of this Section, is from January 1 to December 31 of each year.
- ~~45.~~ Any contributions made under this Section of this Chapter shall be reported as required by the Election Code, 10 ILCS 5/1-1, et seq.
- ~~56.~~ Any Candidate for any District office or any current elected Official in Forest Preserve District government shall return contributions found in excess of the limitations set forth in this Section within thirty (30) days of notification from the Board of Ethics. Failure to return contributions within thirty (30) days shall be a violation of this Section and subject to fines under Section 1-13-4, Sanctions for Violations.

(Ord. No. 22-0200, 6-14-22; Ord. No. 23-0172, 4-25-23; Ord. No. 24-0455, 1-14-25)