ITEM NO.  
SUBJECT: Resolution Implementing Post-Employment Restrictions Policy for Authority Commissioners, Officers and Directors

COMMITTEE: New Business

COMMITTEE MEETING DATE: August 18, 2010

BOARD ACTION DATE: August 18, 2010

PROPOSAL: That the Board adopt a resolution authorizing the implementation of a policy restricting the post-employment activities of all Commissioners, Officers and Directors of the Authority.

PURPOSE: To adopt a resolution authorizing the implementation of a policy restricting the post-employment activities of all Commissioners, Officers and Directors of the Authority.

BACKGROUND: Due to the enhanced responsibilities, influence and access to confidential information of Commissioners, Officers and Directors with respect to the operations and processes of the Authority, the Board seeks to implement a policy restricting the post employment activities of all Commissioners, Officers and Directors to avoid conflicts and appearances of conflicts related to vendors of the Authority.

The Board has reviewed the form of the proposed Post-Employment Restrictions Policy and has considered the advice and analysis of its staff and certain of its consultants with regard to the policy and has determined that the proposed language is in the best interests of the Authority and the public it serves.

SUMMARY: Amount: N/A
Source of Funds: N/A
Capital Project #: N/A
Operating Budget: N/A
Master Plan Status: N/A
Other Fund Sources: N/A
Duration of Contract: N/A
Other Parties Involved: N/A
RESOLUTION

RESOLVED: That the Board authorizes the adoption of a policy restricting the post-employment activities of all Commissioners, Officers and Directors of the Authority.

SUMMARY:  
Amount:  N/A  
Source of Funds:  N/A  
Capital Project #:  N/A  
Operating Budget:  N/A  
Master Plan Status:  N/A  
Other Fund Sources:  N/A  
Duration of Contract:  N/A  
Other Parties Involved:  N/A
POST EMPLOYMENT RESTRICTIONS

SCOPE

Defines the policy and procedure governing the post-employment restrictions of all Commissioners, Officers and Directors of the Authority.

POLICY

In order to limit the potential for undue influence, or the appearance thereof, of Authority Commissioners and employees, it is essential to discourage the retention, as an employee, agent, or representative, of former Commissioners, Officers and Directors by entities holding or seeking to hold contracts with the Authority for a certain period after the completion of their service or appointment.

Accordingly: No Commissioner, Officer or Director of the Authority shall represent or otherwise assist, directly or indirectly, any private enterprise with respect to any matter involving the Authority for a period of two (2) years after termination of employment or official status with the Authority.

Any private entity which retains or engages, directly or indirectly, as an employee, agent or representative, any former Commissioner, Officer or Director, who by virtue of such retention or engagement is in violation of this policy, shall be barred from being awarded any future contracts by the Authority for a period of two (2) years following the engagement or retention of the employee.

For the purposes hereof, Director level employees shall be deemed to include all director titles, as well as the PATCO General Manager, the General Counsel, the Assistant General Manger of PATCO and the Police Chief.