

**~~ORDINANCE FORMULATING AND ESTABLISHING CONDITIONS AND
PROCEDURES FOR CONTRACTS WITH AND EMPLOYMENT OF FORMER
MEMBERS OF THE BOARD~~**

~~WHEREAS, the manner in which the Board of Port Commissioners for the City of Oakland lets and administers contracts for public works and for goods, services and employment is a municipal affair; and~~

~~WHEREAS, the Board wishes to set forth guidelines and conditions for the employment of and contracts with former Members of the Board after departure from office in order to avoid any appearance of conflict of interest in such employment or contracts; and therefore~~

~~BE IT ORDAINED by the Board of Port Commissioners of the City of Oakland as follows:~~

Chapter 2.04 Procedures for Contracts with Former Board Members

Section 2.04.010 Ineligibility of Former Commissioners

~~Section 1. It is the policy of the Port of Oakland that F~~former Commissioners ~~Members of the Board are~~shall be ineligible for employment by or contracts with the Port for a period of one (1) year after the ~~Member's~~Commissioner's term has ended or the ~~Member~~Commissioner has otherwise left office.

Section 2.04.020 Section 2- Contracts with Specified Entities Prohibited

For a period of one (1) year after ~~the Member~~a Commissioner leaves office, contracts with any entity in which ~~thesuch~~ former ~~Member~~Commissioner has an equity interest are prohibited, unless the ~~Member's~~Commissioner's interest would qualify as a “remote interest” under California Government Code § 1091, as such section may be amended from time to time, or would be deemed not an interest under California Government Code § 1091.5, as such section may be amended from time to time, as applied were the former ~~Member~~Commissioner still be serving on the Board.

Section 2.04.030 Section 3- Contracts with Former Commissioners

Contracts with former ~~Members~~Commissioners are prohibited without time limitations after leaving office if the contractual relationship relates to matters ~~the Members~~such Commissioner may have considered or advised upon before departure from the Board.

Section 2.04.040 Section 4- Violations of this Chapter

Any contract entered into in violation of this ~~Ordinance~~Chapter is null and void; and any compensation or consideration paid by the Port must be returned to the Port with interest at the legal rate.

Section 2.04.050 ~~Section 5. Prohibition on Influencing Matters~~

No former ~~Member of the Board~~Commissioner, for a period of one (1) year after leaving office, shall for compensation act as agent, representative, or otherwise as advocate on behalf of any other ~~P~~person by making any written or oral communication to Port staff, the Board, or ~~Board Members~~Commissioners or appearance before the Board or any of its committees for the purpose of influencing decisions on contracts or other matters pending before the Board or any of its committees.

~~Section 6. This ordinance shall take effect thirty (30) days from and after its final adoption.~~