

# AVIATION AUTHORITY POLICY

100: ORGANIZATION

Effective: 01/01/22

CONDUCT

Revised:

P156: LOBBYIST ACTIVITIES

**PURPOSE:** To establish a policy governing the activities of Lobbyists dealing with the Authority. Compliance with this Policy is the sole responsibility of the Lobbyist.

**LEGAL CONSIDERATION:** Pursuant to the Hillsborough County Aviation Authority Act, the Authority has exclusive jurisdiction and broad powers in connection with creating, operating, constructing, and maintaining the public airports in Hillsborough County. Pursuant to Section 6(2)(ll) of the Act, the Authority has the power to and may “[a]dopt and amend rules, regulations, and policies reasonably necessary for the implementation of this act.”

## **POLICY:**

### A. Definitions

1. “Lobbying” means communicating or meeting privately in person, by telephone, or pursuant to written or electronic communication with a member of the Authority Board of Directors (Board), the Chief Executive Officer, an Executive Vice President, a Vice President, the General Counsel, an Assistant General Counsel, a department director, or any Authority employee or representative who makes a final decision or final recommendation to the Board in order to influence decision making or to encourage the passage, defeat, or modification of any item.
2. “Lobbyist” means a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of Lobbying, or a person who is principally employed for governmental affairs by another person or entity to lobby on behalf of that other person or entity.
3. “Principal” means the person, firm, corporation, or other entity which has employed or retained a Lobbyist.

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## B. Registration

All Lobbyists must register before or at the time of the Lobbying but in any event no later than seven business days from the date of such Lobbying on a registration form provided by the Authority. The Lobbyist must provide his or her name, business address, name and business address of each Principal represented, and the general and specific areas of his or her business interest.

A separate registration is required for each Principal represented. Registration is effective for a period of 12 months. A new registration is required to engage in any Lobbying after expiration of a previously filed registration. The Lobbyist must send a written statement to the Authority canceling the registration for a Principal upon termination of the Lobbyist's representation of that Principal. The Lobbyist registry will be available for public inspection.

Notwithstanding this Policy, Lobbying related to Competitive Selection Processes, including, but not limited to, Invitations to Bid (ITBs), Invitations to Negotiate (ITNs), Requests for Qualifications (RFQs), and Requests for Proposals (RFPs), is prohibited beginning with advertisement for the same and ending with the Board's selection for RFQs and RFPs or the Board's award for ITBs and ITNs, pursuant to the Cone of Silence contained in Authority Policy P410, Procurement.

## C. Exemptions

The following persons and activities are exempted from the requirement of registration:

1. Employees or representatives of federal, state, or local agencies discussing the business of their agency;
2. Any person in contractual privity with the Authority who appears only in his or her official contractual capacity or through his or her attorney to discuss issues

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related to their contract or in connection with the negotiation of an existing contract with the Authority;

3. Any person who only appears in his or her individual capacity for the purpose of self-representation without compensation or reimbursement, whether direct, indirect, or contingent, to express support or opposition to any item; and
4. Persons or representatives of organizations contacted by an Authority official when such contact is initiated by the Authority official.

### D. Penalties

Violations of this Policy shall be reported to the General Counsel. Upon receiving a report of a violation, the General Counsel may request further information and may conduct such investigation as deemed necessary under the circumstances. The results of each investigation will be reported to the Chief Executive Officer.

Upon notice of a violation of this Policy by the Chief Executive Officer or the General Counsel, the Authority Board may warn, reprimand, or suspend a violator from Lobbying the Authority for a period of time; provided, however, that any suspension may not exceed a period of two years, and no sanction may be imposed unless the Lobbyist allegedly in violation has been afforded reasonable notice and an opportunity to be heard. To be heard, the alleged violator must file a request for review with the Chairperson of the Board within 10 days of notice of violation, requesting to be placed on the agenda at the next regularly scheduled Authority Board meeting; provided, that if less than 30-days' notice is afforded to the Board, the item may be placed on the following Board meeting agenda. The request for review must concisely identify the matter contested and the reasons or grounds therefore, and include all documentation supporting the request for review. The Board will hear the matter even if no supporting documentation is furnished and will render a decision.

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The failure or refusal of any Lobbyist to comply with any decision of the Board to suspend the Lobbyist from Lobbying may be subject to any such lawful remedies as the Authority may pursue, including injunctive relief.