



CITY OF BEVERLY HILLS STAFF REPORT

Meeting Date: November 19, 2013
To: Honorable Mayor & City Council
From: Cheryl Friedling, Deputy City Manager for Public Affairs
Subject: Proposal from the Sunshine Task Force Regarding Lobbyist
Registration Forms

1. Revised Proposed Legislative Advocate Registration Form
2. Revised Legislative Advocate Registration and Certification Statement

INTRODUCTION

At the City Council Study Session of September 24, 2013, the City Council directed staff to work with the Sunshine Task Force and the City Attorney to return with a revised draft Legislative Advocate Registration form. The attached draft Legislative Advocate Registration form and Legislative Advocate Registration and Certification Statement are submitted for review and discussion.

DISCUSSION

The Sunshine Task Force was established to promote greater transparency and public involvement in local government operations. A priority initiative of the Task Force has been to revise the City's current Legislative Advocate Registration form and processes as they relate to compensated legislative advocates.

The forms and statements proposed by the Sunshine Task Force have been reviewed by the City Attorney's office. If the City Council approves use of the new form, the Beverly Hills Municipal Code will need to be revised before implementation to reflect the following:

1. Amend the definition of legislative advocate and legislative advocacy so that these regulations are not triggered by compensation of less than \$50 (currently even one dollar of compensation triggers the reporting requirements).
2. Add definition of client to mean "any person or other legal entity who provides compensation to a Legislative Advocate for Legislative Advocacy services, whether the compensation is provided directly, indirectly, or through an intermediary."

3. Require that the lobbyist disclose the outcome desired by the client and the initial date of engagement.
4. Require that the lobbyist identify the client, provide the contact information for the client and explain the specific business of the client.
5. Require that the lobbyist disclose contact information for lobbyists' employer.
6. Require that the registration form be submitted within 10 days after commencement of lobbying. Current ordinance provides that registration must be filed before lobbying may commence.
7. Copies of the forms must be placed on the City's website in a searchable database. Also, copies of each form must be distributed to Councilmembers and all commissioners.
8. Revise the penalty for failure to comply with the disclosure requirements to include a suspension of the right to conduct business as a lobbyist in Beverly Hills.

FISCAL IMPACT

There is minimal fiscal impact associated with posting lobbyist disclosure forms to the City's website.

RECOMMENDATION

The draft forms are submitted to the City Council for consideration. Should the City Council accept the provisions as presented, then staff will bring back an ordinance to amend the Beverly Hills Municipal Code to conform to the requirements of the form.

Cheryl Friedling
Approved By



Attachment 1



City of Beverly Hills Legislative Advocate Registration

Contact Information for the Legislative Advocate	
Name	Telephone
Business address	E-mail
(Line 2)	Fax
City, State & Zip	
Employer (if applicable)	
Description of Matter that Legislative Advocate is Attempting to Influence	
Description of Municipal Legislation that is subject of Advocacy	
Desired Outcome	
Initial Date of Engagement	
Client Information	
Client name	Telephone
Client Address	Website Address (if any)
(Line 2)	
City, State, Zip	
Specific business of client	



**City of Beverly Hills
Legislative Advocate Registration**

Legislative Advocate Employer	
Employer Name	
Business Address	
(Line 2)	
City, State, Zip	
Website Address (if applicable)	Telephone
Recent Legislative Advocacy Activity	
<p>Other than the matter described above, please describe in detail each matter for which you or your employer has been hired involving the City of Beverly Hills during the previous twelve months, as well as the date thereof. Please identify the outcome that the Client is seeking to achieve with respect to each matter that has been described. (Append additional sheets as necessary.) Information that has already been provided by submitting this form in connection with a previous legislative advocacy matter need not be repeated.</p>	
Item 1	
Client Name	Telephone
Business Address	Web site address (if any)
City, State, Zip	
Specific Business of Client	
Description of the subject of the Advocacy	Date of engagement
Desired Outcome	
Outcome (f any)	



City of Beverly Hills Legislative Advocate Registration

Item 2	
Client Name	Telephone
Business Address	Web site address (if any)
City, State, Zip	
Specific Business of Client	
Description of the subject of the Advocacy	Date of engagement
Desired Outcome	
Outcome (f any)	

Sign and Date

I declare under penalty of perjury that the information which has been included in this Registration Form is true and correct.

Signed

Date

Attachment 2



LEGISLATIVE ADVOCATE REGISTRATION AND CERTIFICATION STATEMENT

Pursuant to Beverly Hills Municipal Code Title 1, Chapter 9 entitled "Legislative Advocates," the undersigned hereby submits and signs the attached form **UNDER PENALTY OF PERJURY** in accordance with the laws of the State of California:

INSTRUCTIONS

A. Definitions.

The terms used in this form shall be defined as set forth in the Beverly Hills Municipal Code. Certain definitions from the Municipal Code are summarized here.

1. Definition of Legislative Advocate.

Legislative Advocate is defined as any person who receives monetary or any other form of compensation, in excess of \$50, or has the expectation of such compensation, for the purpose of influencing any discretionary action, including recommendations, of the City Council or any Commission of the City of Beverly Hills.

Any person who is not a "Legislative Advocate" as defined in the Municipal Code, including anyone who does not receive the foregoing compensation, is not considered a Legislative Advocate and need not complete this Certification Statement.

2. Definition of Client

A "client" is defined as any person or other legal entity who provides compensation to a Legislative Advocate for Legislative Advocacy services, whether the compensation is provided directly, indirectly, or through an intermediary.

B. Completing form. Please provide the following information on the attached form:

1. Contact Information for the Legislative Advocate.

- Please set forth your name, business address, telephone number, e-mail address and fax number

2. Description of Matter that Legislative Advocate is Attempting to Influence

- Please describe with specificity the Municipal Legislation that you are attempting to influence
- Please describe the outcome desired by your client
- Please provide the initial date of your engagement



LEGISLATIVE ADVOCATE REGISTRATION AND CERTIFICATION STATEMENT

3. Information Pertaining to the Client of the Legislative Advocate.
 - Please identify your client
 - Please provide the Contact Information for the client.
 - Describe in detail the specific business in which the client is involved.
4. Contact Information of Employer of Legislative Advocate
 - Please set forth the name, business address, telephone number, and website address of your employer
5. Description of Past Legislative Advocacy that has not otherwise been reported
 - Please provide a detailed summary specifically describing each legislative advocacy activity in which you or your employer engaged involving the City of Beverly Hills during the prior year including the issue involved, the position advanced by you or your employer and the outcome. **This information need not be repeated if the information, other than outcome, has already been submitted to the City of Beverly Hills' searchable database.**
 - Please provide contact information for each client who retained you in connection with activity identified in the immediately preceding paragraph. **This information need not be repeated if the information has already been submitted to the City of Beverly Hills' searchable database.**

C. Deadline for Submitting Form

This form must be completed and submitted within ten (10) calendar days after a legislative advocate commences legislative advocacy on any matter.

D. Public Availability of Form

Copies of this form shall be available for public view in the City Clerk's Office as well as posted on the City's website in a searchable database and shall be forwarded to each City Council member, each City Commissioner, the City Manager and the City Attorney.



LEGISLATIVE ADVOCATE REGISTRATION AND CERTIFICATION STATEMENT

E. Advisories to Legislative Advocates

On any occasion in which the Legislative Advocate makes a presentation to the City Council or City Commission, the Legislative Advocate shall announce the specific matter being addressed and shall identify the client who the Legislative Advocate is representing.

Pursuant to Title 1, Chapter 3 of the Beverly Hills Municipal Code, any person who knowingly and willingly violates any Code requirement regarding registration of Legislative Advocates may be assessed a penalty not to exceed five hundred dollars (\$500) per violation, and may be prohibited from lobbying in the City of Beverly Hills for a period of up to four years.