



Corporate Report

NO: C015

COUNCIL DATE: July 10, 2006

COUNCIL IN COMMITTEE

TO: Mayor & Council

DATE: July 5, 2006

FROM: City Solicitor

FILE: 3900-01/#8

SUBJECT: Lobbyist Registration

RECOMMENDATION

It is recommended that Council:

1. Receive this report as information; and
2. If Council chooses to proceed with Option B, the implementation of a lobbyist registration by-law, that the Surrey Lobbyist Registration By-law (the "By-law") attached as Appendix A to this report be introduced for the necessary readings and that staff be directed to proceed with implementing a manual registry; or
3. If Council chooses to proceed with Option C, that it approve amendments to the City's Code of Conduct By-law, 1994, No. 12196 (the "Code of Conduct By-law" attached as Appendix B) as documented in Appendix C and authorize the City Clerk to bring forward the necessary amendment by-law for the required readings; or
4. If Council chooses to proceed with Option D, that it direct the City Clerk to forward a letter to the UBCM that requests that it study the merits of alternative approaches to lobbyist registration and explore with the Province the merits of making available to local governments the Provincial online lobbyist registration system.

INTENT

This report is being forwarded to Council at the request of the Mayor in accordance with her authority under s. 116(2)(a) of the *Community Charter*, S.B.C. 2003, c. 26 (the "*Community Charter*") to recommend by-laws. The intent of this report is to review the rationale for and feasibility of introducing a lobbyist registration by-law for the City based on the provincial lobbyist disclosure legislation and of alternative approaches for addressing the matter of lobbyist registration.

BACKGROUND

1. Introduction

Lobbying is generally defined in federal, provincial and municipal legislation as any oral or written communications with a public office holder in an attempt to influence decisions concerning legislative changes, issuance of permits or licenses or the awarding of contracts, often away from public scrutiny. Lobbying activity however is to be distinguished from routine "advice seeking" by members of the public or contacts with staff in conducting official business.

Lobbying has long been a fundamental democratic right. The purpose of legislation in this field is not to restrict lobbying, but to shed light on representations to government and complement the City's existing Code of Conduct By-law, a copy of which is attached as Appendix B to this report. A registry can ensure that interactions between staff, members of Council and paid lobbyists are a matter of public record fully accessible to all citizens.

These laws are normally applicable only to paid lobbyists who must disclose the identity of the public office holder they are seeking to influence, and the nature and purpose of the client's business and the municipal decision for which the lobbyist was retained to represent a client. These laws do not normally apply to individuals, constituents, community organizations and unpaid delegations to Council.

The policy rationale for a transparent lobbyist disclosure system is to make more effective government accountability, together with ethics and codes of conduct regulations. In the case of the City, it would reinforce the *Community Charter's* ethics and conflict of interest provisions applicable to members of Council and the Code of Conduct By-law which is applicable to staff. Such a by-law also allows the public to be made aware in advance of issues that may affect their interests or those of the public in general.

2. Current Experience – Lobbyist Registration

The federal government and five of the Provinces, including British Columbia, have enacted lobbyist registration legislation. There is widespread use in the United States of municipal lobbyist registration by-laws. The By-law attached as Appendix A is modeled on the BC legislation. Only Quebec has mandatory

lobbyist registration applicable to all municipalities in the Province. Quebec's system is much more efficient and cost effective than a stand-alone registry.

On July 12, 2005, in a letter to Ida Chong, Minister of Community Services, Vancouver City Council asked the Province to amend the *Vancouver Charter* to allow the introduction of a lobbyist disclosure by-law. To date, there has been no action taken on Vancouver's request.

There has been no UBCM study or recommendation in connection with lobbyist registration or with respect to expanding the BC Province-wide online registry to local government as with the Quebec system.

The former City of Toronto had a lobbyist registry by-law in 1989, but repealed the lobbyist registry by-law as a result of court challenges and lack of municipal jurisdiction in Ontario to enact such a by-law. The new City of Toronto has requested enabling legislation and in the interim has adopted a lobbying disclosure policy, which applies to all competitive requests for proposals or calls for bids. Toronto estimates an ongoing annual cost of a registry to be \$300,000, including development of a fully automated online system modeled on the provincial registry, staffing under the clerk to include a new registrar position, technical support from existing staff, legal advice, equipment, software and office space.

In the interim Toronto has also created a voluntary lobbyist registry; however, the use of the voluntary process has been spotty with participation of only six councillors out of 41. The Mayor has chosen not to participate. Like Surrey, Toronto has been relying on its code of conduct and the existing municipal conflict legislation. Toronto has also added policies for lobbyists to follow in its code of conduct. Toronto also has a lobbying disclosure policy applicable for certain competitive calls. The City of Surrey prohibits lobbying outright in competitive contract calls and Requests for Proposals ("RFPs") under its Purchasing and Expenditure Authorization By-law, 2005, No. 15742 (the "Purchasing By-law").

Toronto has also appointed an Integrity Commissioner whose duties range from advising members of Council and educating staff on ethical issues to investigating and adjudicating complaints against staff or members of Council. The Commissioner is required to report to City Council on all formal complaints within 90 days of receiving them. The Commissioner can recommend corrective action. Some members of Toronto Council have criticized the Commissioner over his handling of complaints, stating that the procedure for review of complaints unduly impinges on Councillors' ability to work while under investigation.

DISCUSSION

1. Legislative Authority

British Columbia municipalities have considerably broader powers of regulatory prohibition and the ability to impose requirements in relation to a "*business*" which covers the activity of lobbying (*Community Charter*, s. 8(3), (6), (7), and (8)). Unlike Ontario, BC local governments can establish different classes of persons, places, activities, properties or things and therefore are allowed to "*discriminate*" in the municipal sense (*Community Charter*, s. 12(1) and (2) and 15(1) and (2)). The municipal regulatory discrimination can treat paid "*lobbyists*" differently from ordinary members of the public who seek advice or wish to make representations to public officials.

The fact that both provincial and federal lobbyist legislation has not been declared unconstitutional for violating Charter rights of assembly and free speech goes to support the constitutionality of similar municipal legislation.

2. Overview of the Attached Draft Lobbyist Registration By-law

The registry of lobbyists would be a public registry designed to foster transparency in the lobbying of City staff and Council. The draft By-law attached as Appendix A applies to two types of lobbyists – independent consultant lobbyists and in-house lobbyists, all of whom are paid. The onus is on the lobbyist to register and there are no consequences to City staff or members of Council in dealing with unregistered lobbyists.

The following provides basic information in relation to the attached draft by-law:

(a) Lobbying

Lobbying is defined as any oral or written communication with a public office holder in an attempt to influence or that may reasonably be considered by the initiator of the communication as capable of influencing a decision concerning:

- (i) the development, introduction, amendment or defeat of any legislative or regulatory proposal, by-law, resolution, policy, program or action plan;
- (ii) the issue of any permit, license, certificate or other authorization;
- (iii) the awarding of any contract, other than by way of a call for public tenders, or of any grant or other financial benefit or the granting of any other form of benefit determined by government regulation.

The arranging by a lobbyist of a meeting between a public office holder and any other person is considered to be a lobbying activity.

(b) Consultant Lobbyist

Any person, whether or not a salaried employee, whose occupation or mandate consists, in whole or in part, in lobbying on behalf of another person in return for compensation.

(c) In-House Lobbyist

Any person a significant part of whose job or function within an organization consists of lobbying. An organization includes business professionals, organizations, trade unions, non-profit societies, interest groups and governments.

(d) Senior Officers

The persons who are the most senior officer of an organization who is compensated for the purpose of his or her duties and who is required to file a return on behalf of an in-house lobbyist.

(e) Lobbyist Register

Each return filed within specified time limits under section 4 of the By-law must contain the name of a lobbyist and business address, the name and address of the lobbyist's client, the subject matter and duration of the lobbying activities and the techniques of communication used. The filing only needs to be done once for each lobbying enterprise and would therefore cover all subsequent meetings and lobbying registration activities.

(f) Fees

Electronically transmitted returns would be free of charge for the initial filing, changes, and renewals of returns or notices of change.

(g) Lobbyist Register

The registrar located in the City Clerk's office is responsible for keeping the registry and, in that capacity, can:

- (i) determine consultation and registration times;
- (ii) examine whether the returns and notices submitted contain all the required information and whether they are submitted in the prescribed form and manner; and
- (iii) refuse to accept, or remove from the registry, any return or notice that does not contain all the required information or that is not submitted in the prescribed form or manner.

3. Restrictions on Application of By-law

The proposed By-law does not apply to federal, provincial or municipal elected representatives or their staff. Aboriginal peoples and bands are also exempt. The By-law does not apply in respect of an oral or written submission made in proceedings that are a matter of public record to Council or a committee of Council.

The proposed By-law does not apply to the enforcement, interpretation of any by-law or legislation or the implementation or administration of any policy, directive or program that applies to that person or organization. The By-law does not apply in respect of submissions on behalf of a personal matter related to a constituent. However, a matter considered to specifically benefit a constituent would be covered by this By-law.

4. Advantages of a Lobbyist Registration By-law

There would be increased transparency surrounding lobbying activities in the City to the extent there is voluntary compliance with the system of registration. The public may have a sense that there is an open process and some protection against unreasonable lobbying efforts on behalf of proponents. The By-law also allows the public to have greater awareness of issues that may affect their interests or those of the public in general.

The By-law would complement the Code of Conduct By-law, the *Criminal Code* and the ethical provisions of the *Community Charter*.

5. Disadvantages of a Lobbyist Registration By-law

Adding another layer of oversight to the City's Code of Conduct By-law, Purchasing By-law, *Community Charter* ethics regulations and the *Criminal Code* may be perceived as unnecessarily cumbersome and mistrustful of staff. There is also considerable go it alone costs in operating a provincial style lobbyist registration system. Toronto found it difficult to administer at the municipal level, which was concurred in by the Ontario Office of the Provincial Integrity Commissioner. There were also considerable legal costs in the administration of this type of by-law.

Commercial and industrial proponents often require confidentiality when approaching local government to propose the location of a new business. If a proponent is using a lobbyist, disclosure of the type of information required by the proposed By-law may place the City at a competitive disadvantage if it were the only municipality in the Lower Mainland with lobbyist information registration requirements. However, the By-law does not go as far as the proposed Federal Accountability Act which requires a written public record of each meeting, telephone call or electronic transmission between lobbyists and ministers and their staff.

The City of Toronto in a report to its Council in 2003 identified implementation issues and the costs associated with a stand-alone lobbyist registry system. Excerpts of the Toronto staff report are appended to this report as Appendix D.

Quebec is the only Province in which the provincial centralized registry system and online services are available at little or no cost to all of its municipalities.

UBCM has not studied or made any recommendation with respect to lobbyist registration approaches or systems or whether the Province's registry should be made available to local government as with the Quebec system.

Optional Courses of Action

The following lists, describes and provides an evaluation of optional courses of action available to Council:

Option A: Continue Present City Policies

British Columbia has comprehensive rules governing members of Council in relation to conflicts of interest, use or disclosure of confidential or inside information, and strict limits on accepting gifts. City staff are governed by a comprehensive Code of Conduct By-law that includes prohibitions against acceptance of any gifts or favours, and receipt of commissions or rewards from any persons involved in any matter whatsoever with the City.

Staff is prohibited from granting any special consideration, treatment or advantage to any persons in their dealings with the City or benefit from the use of any insider information. Breach by staff of the Code of Conduct By-law may result in disciplinary action, dismissal or criminal charges.

The *Criminal Code* also governs staff and members of Council in relation to influence peddling, bribery and fraud, municipal corruption and interference with the performance of official acts. There are also professional codes of conduct with which lawyers and other professionals acting as lobbyists must comply.

The City's Purchasing By-law has safeguards to ensure integrity in dealing with outside persons, organizations and businesses in relation to City purchases. Lobbying is currently banned in the City's RFP and competitive procurement process.

Option B: Stand Alone Lobbyist Registration System

Should Council wish to implement a stand-alone lobbyist registration system it is recommended that the attached By-law as described previously in this report be enacted. This provides for a registry system based on the BC legislative model. It does not go so far as the proposed Federal Accountability Act, which would require civil servants to make notes of all discussions with lobbyists and have them available for public disclosure.

If Council directs that this option be pursued, staff would at the outset implement a manual registry system where lobbyists voluntarily fill out a simple form that is placed on file with the City Clerk. Members of the public are then able to access these records over the counter at City Hall. Attached as Appendix E is the City of San Diego's lobbyist registration form. With this form of registry it is estimated by the Clerk that the cost to administer the By-law would be minimal.

In the longer term after the City gains some experience with the registry, consideration could be given to an online registry. However, based on discussions with the Clerk and General Manager, Finance, Technology & HR such a registry could cost up to approximately \$100,000 annually to administer. This would include a registry clerk/administration, a fully automated online system, software, office equipment and technical support from existing staff. In addition, the initial software acquisition costs are estimated at \$70,000 with some annual software and hardware service costs. This would provide the City with an online lobbyist registration system very similar to the Province's. The Province has a user-friendly online lobbyist registration system (www.ag.gov.bc.ca/lra) complete with an online guide containing detailed information about who must register, what information they must provide and how the public can access information from the registry.

Option C: Add Lobbying Guidelines to the Code of Conduct By-law

As a low cost alternative to a “go it alone” system, until a province-wide registry is available to local government, the City’s Code of Conduct By-law could be amended to provide for appropriate guidelines for lobbyists in their dealings with staff and members of Council. Ethical standards to safeguard against conflicts of interest can be added to the existing policy. The policy can also be revised to ensure that members of Council and staff are vigilant in their duties to serve public interests when faced with lobbying activity. Recommended amendments in this regard are documented in Appendix C. The primary advantage of this option is that it would provide guidance to staff and lobbyists about the limits that lobbying activities must stay within without incurring significant administration costs. The new provisions could be communicated at the counters within City Hall and on the City’s website.

Option D: Request that the UBCM Study the Matter of Lobbyist Registration including the Exploration of an Expansion to Provincial System to Serve Local Government

Council could recommend that UBCM explore the relative merits of a lobbyist registration system for municipalities including a possible expansion of it's the Provincial online system to cover registration of municipal lobbyists. Such an expansion would provide a Province-wide system similar to that of Quebec. The advantage of this option is a level playing field in relation to disclosure requirements applicable to all B.C. municipalities and would be an efficient approach to developing a system for all of B.C. rather than each municipality tackling the task on its own. The UBCM would be in the best position to approach the Province about the potential expansion of its online registry system to local governments.

CONCLUSION

Based on the above discussion, it is recommended that:

1. If Council chooses to proceed with Option B, the implementation of a lobbyist registration by-law, that the Surrey Lobbyist Registration By-law (the "By-law") attached as Appendix A to this report be introduced for the necessary readings and that staff be directed to proceed with implementing a manual registry; or
2. If Council chooses to proceed with Option C, that it approve amendments to the City's Code of Conduct By-law as documented in Appendix C and authorize the City Clerk to bring forward the necessary amendment by-law for the required readings; or
3. If Council chooses to proceed with Option D, that it direct the City Clerk to forward a letter to the UBCM that requests that it study the merits of alternative approaches to lobbyist registration and explore with the Province the merits of making available to local governments the Provincial online lobbyist registration system.

CRAIG MacFARLANE
City Solicitor

CM:mlg
Attachs.

c.c. General Manager, Finance, Technology & HR
City Clerk

APPENDIX A

CITY OF SURREY
BY-LAW NO. _____

Lobbyist Registration By-law

.....

- (a) WHEREAS the purpose of this by-law is to provide registration and disclosure requirements whereby individuals acting as lobbyists are required to register with the City, and
- (b) WHEREAS the purpose of registration is to require lobbyists to provide sufficient information so that complete disclosure of principals and clients they represent may become public information for the benefit of Council and the general public.

Under its statutory powers, including Sections 8(3), (6), (7) and (8), 12(1), (2) and 15(1) and (2) of the *Community Charter*, S.B.C. 2003, c. 26, the Council of the City of Surrey enacts the following provisions:

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1. TITLE

This By-law may be cited as the "Lobbyist Registration By-law, 2006, No. _____".

2. DEFINITIONS

In this By-law:

- (a) "City" means the City of Surrey;
- (b) "client" means a person or organization on whose behalf a consultant lobbyist undertakes to lobby;
- (c) "consultant lobbyist" means an individual who, for payment, undertakes to lobby on behalf of a client;
- (d) "Council" means the elected Council of the City;
- (e) "in-house lobbyist" means an individual who is employed or compensated by a person or organization and a significant part of whose duties as an employee is to lobby on behalf of
 - (1) the employer, or
 - (2) if the employer is a corporation, on behalf of any subsidiary of the employer or any corporation of which the employer is a subsidiary, and
 - (3) for the purposes of this By-law, the following are not considered to be "in-house lobbyists"
 - (i) officers and employees of the Legislative Assembly appointed under section 39 of the Constitution Act,
 - (ii) persons appointed under the Public Service Act,
 - (iii) employees of prescribed government corporations as defined in the Financial Administration Act or of other prescribed government institutions,
 - (iv) public office holders;
- (f) "lobby" means, in relation to either a consultant lobbyist or an in-house lobbyist, to communicate with a public office holder in an attempt to influence
 - (1) the development, introduction, amendment or defeat of any legislative or regulatory proposal, by-law, resolution, policy, program or action plan,
 - (2) the issuance of any permit, license, certificate or other authorization,
 - (3) a decision by Council to transfer from the City for consideration all or part of, or any interest in or asset of, any business, enterprise or institution that provides goods or services to the City or to the public,

- (4) the awarding of any contract other than by way of a call for public tender, or of any grant or other financial benefit,
- (5) the awarding of any grant, contribution or other financial benefit by or on behalf of the City, and
- (6)
 - (i) to communicate with a public office holder in an attempt to influence the awarding of any contract by or on behalf of the City, or
 - (ii) to arrange a meeting between a public office holder and any other person;
- (g) "lobbyist" means an individual who engages in lobbying activities;
- (h) "organization" means
 - (1) a business, trade, industry, professional or voluntary organization,
 - (2) a trade union or labour organization,
 - (3) a chamber of commerce or board of trade,
 - (4) a charitable or non-profit organization, association, society, coalition or interest group, and
 - (5) a government, other than the City;
- (i) "payment" means money or anything of value and includes a contract, promise or agreement to pay money or anything of value;
- (j) "public office holder" means
 - (1) any officer or employee of the City,
 - (2) a member of the Council and any person on his or her staff,
 - (3) a person who is appointed to an office or body by Council, and
 - (4) an officer, director or employee of an agency, board, committee or commission of the City or a corporation where the City is the majority shareholder;
- (k) "registrar" means the registrar appointed under section 8;
- (l) "senior officer" means the most senior officer of an organization who is compensated for the performance of his or her duties;

- (m) "undertaking" means an undertaking by a consultant lobbyist to lobby on behalf of a client, but does not include an undertaking by an employee to do anything
 - (1) on the sole behalf of the employer, or
 - (2) if the employer is a corporation, at the direction of the employer on behalf of a subsidiary of the employer or any corporation of which the employer is a subsidiary.

3. RESTRICTIONS ON APPLICATION OF BY-LAW

3.1 This By-law does not apply to any of the following persons when acting in their official capacity:

- (a) members of the Senate or House of Commons of Canada or persons on their staff;
- (b) members of the Legislative Assembly of a province or persons on their staff;
- (c) employees of the government of Canada or of the government of another province or territory;
- (d) public office holders, members of a municipal council, regional district board, improvement district board, school district board or other local government authority, persons on the staff of those members, or employees of a municipality, regional district, improvement district, school district or other local government authority;
- (e) employees of bodies representing municipal councils, regional district boards, improvement district boards, school district boards or other local government authorities;
- (f) members of an aboriginal governing body, however organized and established by aboriginal people within their traditional territory in British Columbia, persons on the staff of those members, or employees of that governing body;
- (g) diplomatic agents, consular officers or official representatives in Canada of a foreign government;
- (h) officials of a specialized agency of the United Nations in Canada or officials of any other international organization to whom privileges and immunities are granted by or under an Act of the Parliament of Canada.

3.2 This By-law does not apply in respect of an oral or written submission made as follows:

- (a) made in proceedings that are a matter of public record to Council or a committee of Council or to any body or person having jurisdiction or powers conferred by or under an Act;

- (b) made to a public office holder by an individual on behalf of a person or organization concerning
 - (i) the enforcement, interpretation or application of any by-law, Act or regulation by the public office holder with respect to the person or organization, or
 - (ii) the implementation or administration of any program, policy, directive or guideline by the public office holder with respect to the person or organization;
 - (c) made to a public office holder by an individual on behalf of a person or organization in direct response to a written request from a public office holder for advice or comment on any matter referred to in the definition of "lobby";
 - (d) made to a member of the Council by or on behalf of a constituent of the member with respect to any personal matter of the constituent.
- 3.3 A submission made to a member of the Council concerning the introduction in Council or the passage or amendment of a by-law for the special benefit of a constituent of the member is not considered to be a personal matter of the constituent.
- 3.4 This By-law does not require the disclosure of any identifying information about an individual if the registrar is satisfied that disclosure of that information could reasonably be expected to threaten the individual's safety.

4. REQUIREMENT TO FILE RETURN

- 4.1 A return in the prescribed form and containing the information required by section 5 must be filed with the registrar as follows:
- (a) by a consultant lobbyist, within 10 days after entering into an undertaking to lobby on behalf of a client;
 - (b) by the senior officer of any organization that employs any in-house lobbyist,
 - (i) if the organization employs one or more in-house lobbyists on the date this section comes into force,
 - (A) within two months after that date, and
 - (B) within two months of the end of each six month period after the date of filing the previous return, and
 - (ii) in any other case,
 - (A) within two months after the date the organization first employs an in-house lobbyist or the date an employee becomes an in-house lobbyist, and

- (B) within two months after the end of each six month period after the date of filing the previous return;
- (c) by each in-house lobbyist who is employed by a person other than an organization,
 - (i) if he or she is an in-house lobbyist on the date this section comes into force,
 - (A) within two months after that date, and
 - (B) within two months after the end of each financial year of the employer or, if the employer does not have a financial year, within two months after the end of each calendar year, beginning with the financial year or calendar year, as the case may be, in which the in-house lobbyist is required to file a return under clause (A), and
 - (ii) in any other case,
 - (A) within two months after becoming an in-house lobbyist, and
 - (B) within two months after the end of each financial year of the employer or, if the employer does not have financial year, within two months after the end of each calendar year, beginning with the financial year or calendar year, as the case may be, in which the in-house lobbyist is required to file a return under clause (A).
- 4.2 Only one return need to be filed for each undertaking even though the consultant lobbyist may, in connection with the undertaking,
 - (a) communicate with one or more public office holders on one or more occasions, or
 - (b) arrange one or more meetings between a public office holder and any other person.

5. FORM OF CONTENT OF RETURN

- 5.1 Each return filed under section 4 must include the following information as applicable:
 - (a) the name and business address of the consultant lobbyist, in-house lobbyist or senior officer required to file the return;
 - (b) if the return is filed by a consultant lobbyist,
 - (i) the name and business address of the firm, if any, where the consultant lobbyist is engaged in business,

- (ii) the name and business address of the client and of any person or organization that, to the consultant lobbyist's knowledge, controls, or directs the client's activities and has a direct interest in the outcome of the consultant lobbyist's activities on the client's behalf,
 - (iii) the date of the undertaking entered into by the consultant lobbyist, and
 - (iv) the name of any government or government agency that funds or partly funds the client and the amount of the funding;
- (c) if the return is filed by an in-house lobbyist,
 - (i) the name and business address of the employer,
 - (ii) a description in summary form of the employer's business or activities,
 - (iii) if the employer is a corporation, the name and business address of each subsidiary of the corporation that, to the in-house lobbyist's knowledge, has a direct interest in the outcome of the in-house lobbyist's activities on the employer's behalf,
 - (iv) if the employer is a corporation that is a subsidiary of another corporation, the name and business address of that other corporation, and
 - (v) the name of any government or government agency that funds or partly funds the employer and the amount of the funding;
- (d) if the return is filed by the senior officer of an organization,
 - (i) the name of the organization,
 - (ii) a description in summary form of the organization's business or activities and any other information that is prescribed by the regulations to identify its business or activities,
 - (iii) the name of each in-house lobbyist employed by the organization, and
 - (iv) the name of any government or government agency that funds or partly funds the organization and the amount of the funding;
- (e) particulars to identify the subject matter concerning which
 - (i) a consultant lobbyist named in the return has undertaken to lobby, or
 - (ii) any in-house lobbyist name in the return has lobbied or expects to lobby during the relevant period;
- (f) particulars to identify any relevant legislative proposal, by-law, resolution, regulation, program, policy, contract or financial benefit;

(g) the name of any member of the Council if a consultant lobbyist or in-house lobbyist named in the return has lobbied or expects to lobby, during the relevant period,

(i) the Council member, or

(ii) a person on the Council member's staff

concerning a matter that involves the Council member's capacity as a Council member;

(h) the name of any public office holder if a consultant lobbyist or in-house lobbyist named in the return has lobbied or expects to lobby, during the relevant period,

(i) the public office holder, or

(ii) a person on the public office holder's staff

concerning a matter that involves the public office holder's capacity as an officer of the City;

(i) the name of any City department in which is employed or serves any public office holder whom a consultant lobbyist or in-house lobbyist named in the return has lobbied or expects to lobby during the relevant period.

5.2 An individual who files a return must supply the registrar with the following information within the applicable period:

(a) particulars of any change to the information in the return, within 30 days after the change occurs;

(b) any information required to be supplied under section 5.1, the knowledge of which the individual acquired only after the return was filed, within 30 days after the knowledge is acquired;

(c) any information requested by the registrar to clarify any information supplied by the individual under this section, within 30 days after the request is made.

5.3 Within 30 days after the completion or termination of an undertaking for which a return was filed, the consultant lobbyist who filed the return must inform the registrar of the completion or termination of the undertaking.

5.4 Within 30 days after an individual named in a return as an in-house lobbyist ceases to be an in-house lobbyist or ceases to be an employee of the employer named in the return, the individual who filed the return must inform the registrar of the event.

5.5 Any information required under sections 5.1, 5.2, 5.3 and 5.4 must be supplied to the Registrar in the prescribed form and manner.

5.6 In this section, "relevant period" means,

- (a) in relation to a return filed by a consultant lobbyist, the period beginning on the date of the undertaking for which the return was filed and ending on the date of completion or termination of the undertaking, and
- (b) in relation to a return filed by an in-house lobbyist or by the senior officer of an organization that employs an in-house lobbyist, the financial year of the employer in which the return is filed or, if the employer does not have a financial year, the calendar year in which the return is filed.

6. CERTIFICATION OF DOCUMENTS AND DATE OF RECEIPT

6.1 An individual who submits a document, including a return, to the registrar under this By-law must certify:

- (a) on the document; or
- (b) in the manner specified by the registrar, if the document is submitted in electronic or other form under section 7,

that, to the best of the individual's knowledge and belief, the information contained in the document is true.

6.2 Subject to sections 7.2 and 8.6, for the purposes of this By-law:

- (a) the date on which a return is received by the registrar is the date on which the return is considered to have been filed; and
- (b) the date on which information or a document other than a return is received by the registrar is the date on which the information is considered to have been supplied or the document is considered to have been submitted to the registrar.

7. SUBMISSION OF DOCUMENTS IN ELECTRONIC OR OTHER FORM

7.1 Any return or other document that is required to be submitted to the registrar under this By-law may be submitted in electronic or other form by the means and in the manner specified by the registrar.

7.2 For the purposes of this By-law, any return or other document that is submitted in accordance with section 7.1 is deemed to be received by the registrar at the time provided for in this By-law.

8. DESIGNATION AND FUNCTIONS OF REGISTRAR

8.1 The City may appoint a registrar.

- 8.2 The registrar must establish and maintain a registry in which a record of all returns and other documents submitted to the registrar under this By-law are to be kept.
- 8.3 The registry must be organized in the manner and kept in the form that the registrar may determine.
- 8.4 The registrar may do one or more of the following:
- (a) verify the information contained in any return or other document submitted under this By-law;
 - (b) subject to section 8.5, refuse to accept a return or other document that does not comply with the requirements of this By-law or the regulations or that contains information not required to be supplied or disclosed under this By-law;
 - (c) remove a return from the registry if the individual who filed the return does not comply with section 5.2(c);
 - (d) delegate, in writing, to a person employed in the registrar's office any of the registrar's functions under this By-law;
 - (e) authorize a person to whom functions are delegated under subsection (d) to subdelegate those functions to another person employed in the registrar's office.
- 8.5 On refusing to accept a return or other document under section 8.4(b), the registrar must:
- (a) inform the individual who submitted it of the refusal and the reason; and
 - (b) allow a reasonable extension of the time set under this By-law for filing the return or submitting the document if that individual cannot reasonably be expected to file another return or submit another document within the set time.
- 8.6 A return that is filed or a document that is submitted within the time allowed under section 8.5(b) and is accepted by the registrar in place of one refused under section 8.4(b) is deemed to have been filed or submitted, as the case may be, on the date the registrar received the one that was refused.
- 8.7 If a return is removed from the registry under section 8.4(c):
- (a) the registrar must inform the individual who filed the return of its removal and the reason; and
 - (b) that individual is deemed not to have filed the return.

9. PUBLIC ACCESS TO REGISTRY

- 9.1 The registry must be available for public inspection in the manner and at the times that the registrar may determine.

10. STORAGE OF DOCUMENTS AND USE OF DOCUMENTS AS EVIDENCE

- 10.1 Any return or other document that is received by the registrar under this By-law may be entered or recorded by any information storage device, including any system of mechanical or electronic data processing, that is capable of reproducing the stored return or other document in intelligible form within a reasonable time.
- 10.2 In any prosecution for an offence under this By-law, a copy of a return or other document that is reproduced as permitted and certified under the registrar's signature as a true copy:
- (a) is admissible in evidence without proof of the official character of the person appearing to have signed the copy; and
 - (b) has, in the absence of evidence to the contrary, the same evidentiary value as the original would have if it were proved in the ordinary way.

11. REGISTRY

- 11.1 The registrar may establish and maintain a registry and require an individual who engages in lobbying activities or who is a senior officer of an organization that employs an individual to lobby on its behalf, to register respecting lobbyists and lobbying activities and to maintain its registration in the registry.
- 11.2 The registrar may:
- (a) prohibit the carrying on of or engaging in the lobbying activities unless the individual or senior officer has registered in the registry;
 - (b) revoke or suspend a registration;
 - (c) require that information on lobbyists and lobbying activities be provided, including the changes necessary to apply to lobbyists who are not paid or receive only partial payment for engaging in a lobbying activity;
 - (d) require, for both initial and ongoing registration, that any other information for the registry specified in the by-law to be of municipal interest, be provided;
 - (e) require, within the time frame specified in the By-law, updated information for the registry to be provided if the information changes;
 - (f) exempt any person or organization from all or any part of the By-law;
 - (g) permit public inspection of all or part of the registry.
- 11.3 The registrar may remove a return from the registry if the individual who filed the return fails to confirm information contained in it, advise the registrar of matters required under the by-law or fails to give the registrar requested information within the time periods specified in the by-law.

- 11.4 The registrar may remove the return without giving notice to the individual who filed the return and without holding a hearing.
- 11.5 When a return is removed from the registry, the individual who filed it shall be deemed, for the purposes of his or her existing and future obligations under the By-law, not to have filed the return.

12. RECOVERY OF FEES

- 12.1 At the time the lobbyist files a return that is not electronic pursuant to section 7, the lobbyist shall pay:
- (a) an annual registration fee of \$50.00; plus
 - (b) an annual amount of \$15.00 for each client identified on the registration form.

13. CONFLICT OF INTEREST

- 13.1 A lobbyist is guilty of an offence if, in the course of lobbying a public office holder, the lobbyist knowingly places the public office holder in a position of real or potential conflict of interest.
- 13.2 A public office holder is in a position of conflict of interest if he or she engages in an activity that is prohibited by the Surrey Code of Conduct By-law, 1994, No. 12196, as may be amended from time to time, or that would be so prohibited if the public office holder were a member of the Council.

14. OFFENCE AND PENALTIES

- 14.1 Every person who violates any of the provisions of this By-law or who suffers or permits any act or thing to be done in contravention of this By-law or neglects to do or refrains from doing any act or thing required to be done by this By-law or fails to comply with a term or condition granted under this By-law is guilty of an offence and will be liable upon summary conviction to a penalty of not less than \$_____ and not more than \$_____ plus the costs of prosecution.
- 14.2 Each day that a violation is permitted to exist will constitute a separate offence under this By-law.

15. EFFECTIVE DATE

This By-law shall come in force on the date of final adoption.

PASSED THREE READINGS on the _____ day of _____, 2006.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the _____ day of _____, 2006.

_____ MAYOR

_____ CLERK

CITY OF SURREY

APPENDIX B

BY-LAW NO. 12196

A by-law to provide for a code of conduct for the officers and employees of the City that is deemed necessary to carry on the good government of the City of Surrey.

.....

WHEREAS the Council may pursuant to Section 251 of the Municipal Act provide by by-law for the officers and employees that may be deemed necessary to carry on the good government of the City and may prescribe their duties and responsibilities.

AND WHEREAS the Council of the City of Surrey deems it in the best interests of the City to adopt a Code of Conduct to aid officers and employees of the City in carrying out their duties honestly, ethically and without conflict of interest or breach of trust.

NOW, THEREFORE the Council of the City of Surrey, in open meeting assembled, enacts as follows:

1. Definitions:

"officer" means an officer appointed as such pursuant to Surrey Officer's By-Law, 1993, No. 11640.

"employee" means any person employed by the City of Surrey save and except such employees who have been appointed officers.

2. This by-law shall apply to all officers and employees of the City of Surrey whether or not they are covered by collective agreement.

3. No officer or employee of the City shall:

(a) engage in any outside employment, business or undertaking:

- (i) that will, or is likely to, interfere with the performance of his or her duties with the City,
- (ii) in which he or she will gain, or appear to gain, a benefit as a result of his or her position with the City,
- (iii) that will, or is likely to, influence or affect the manner in which he or she carries out his or her duties with the City;

- (iv) acquire either directly or indirectly any interest in real property exceeding one (1) acre in size within the City of Surrey without first disclosing the acquisition thereof in the manner set out in paragraph 4 of this By-Law, nor develop or attempt to develop (e.g. rezone, subdivide) any such real property [or any real property over one (1) acre in size within the City in which the officer or employee has a registrable interest prior to the passage of this By-Law] without first disclosing such development or proposed development in the manner set out in paragraph 4 of this By-Law.
- (b) Accept any gifts or favours from any person, business, organization, or corporation which is directly or indirectly involved in any manner whatsoever with the City of Surrey, unless:
 - (i) the gift or favour is a normal exchange of hospitality among persons doing business,
 - (ii) the gift is a token exchanged as a part of protocol,
 - (iii) the gift is a normal presentation made to persons participating in public functions;
- (c) Use or request the use of any City property for personal convenience or profit, unless:
 - (i) the property is available for such use by the public generally and he or she is receiving no special preference in its use, or
 - (ii) the property is made available to him or her as a matter of City policy or under the terms of his or her employment or appointment;

("property" includes real or personal property, vehicles, chattels, equipment, supplies and the like).
- (d) Benefit, or appear to benefit, from the use of information acquired as a result of his or her duties with the City unless such information is available to the public generally, nor shall he or she disclose such information without proper authorization;
- (e) Grant any special consideration, treatment, or advantage to any person in their dealings with the City;
- (f) Represent any private interests in their dealings with the City or any of its departments or appear before Council or any Board, Commission, or Committee of the City on behalf of those private interests;
- (g) Accept, or offer or agree to accept, a commission, reward, advantage or benefit of any kind from any person who has dealings with the City, either on his or her own behalf or through a relative or other person for his or her own benefit;
- (h) Represent the City in any dealings directly or indirectly with any of his or her relatives or business associates, nor shall he or she attempt to influence the City's dealings with those relatives or business associates;

- (i) Run for election or be nominated to run for election to Council of the City without first taking an unpaid leave of absence in accordance with the provisions of the Municipal Act. If elected as a member of Council, then to resign as an officer or employee in accordance with the provisions of the Municipal Act;
- (j) Run for elective office provincially or federally if a conflict of interest exists between running for the office and the officer's or employee's responsibilities to the City. If a conflict of interest exists, then the officer or employee shall take an unpaid leave of absence before running for elective office provincially or federally. If elected to a provincial or federal office, then to resign as an officer or employee of the City;
- (k) Use his or her position or office of employment with the City to actively campaign for the election of or solicit funds for a potential or a declared candidate for elected office, whether municipal, provincial or federal or to actively campaign or partake in political activity with respect to municipal, provincial or federal campaigns or elections or work for candidates for elective office during the officer's or employee's working hours for the City. This section shall not affect the officer's or employee's normal right to actively participate in the democratic process or participate in elections, whether municipal, provincial or federal as a regular citizen during his or her own time;

(each and all of which is hereinafter referred to as "the Code").

- 4. Where a City officer or employee perceives that he or she is or may potentially be in a position of conflict with the Code enunciated in paragraph 3 hereof, then he or she shall disclose it in writing to:
 - (a) in the case of an employee, to his or her department head;
 - (b) in the case of a department head, to the City Manager;
 - (c) in the case of the City Manager, to the Council of the City of Surrey.

The department head, City Manager, or Council, as the case may be, upon reviewing such written disclosure, shall determine if the officer or employee is or may potentially be in a position of conflict with the Code and so inform the officer and employee of such determination in writing.

- 5. If a breach or infraction of the Code occurs, including failure to disclose pursuant to paragraph 4, such a breach or infraction may result in remedial action being taken by the City against the officer or employee. Such action may include:
 - (a) instructing the City officer or employee to divest himself or herself of the outside interest or transfer assets into a blind trust. Any divestment or transfer must be at arm's length;
 - (b) upon the disclosure of a potential breach of the Code, instructing the officer or employee not to breach the Code or to cease any such breach if one has occurred;
 - (c) accepting the resignation of the City officer or employee;
 - (d) initiating disciplinary action in the form of:

- (i) an oral or written reprimand,
 - (ii) suspension without pay for a specified period of time, or
 - (iii) dismissal of the City officer or employee;
- (e) pressing criminal charges;
 - (f) such further action as may be deemed appropriate having regard to the circumstances.
6. In assessing what remedial action, if any, should be taken, consideration shall be given to the question of whether the infraction was advertent or willful, as opposed to inadvertent. Remedial action shall not be taken where the infraction was inadvertent, unless the circumstances are such that the officer or employee is found to be negligent or willfully blind.
7. Any decision to take remedial action pursuant to paragraph 5 may be appealed:
- (a) where a collective agreement is in effect and relates to the employee pursuant to that agreement;
 - (b) in the case of an officer or department head, to the City Council;
 - (c) in any other case, to the City Manager.
8. The City Manager shall be responsible for administering the Code, including any investigations or reviews of any reported cases of any breaches or violations with respect to the Code.
9. Department heads shall ensure that all employees of his or her department are aware of the Code and shall report to the City Manager any breaches or possible violations of the Code.
10. This by-law is to operate in addition to any other forms of control on the conduct of municipal officers and employees including other City by-laws, policies, collective agreements, or statutes, federal or provincial.
11. "Surrey Conflict of Interest By-law, 1980, No. 6227" is hereby repealed.

12. This by-law may be cited for all purposes as "Surrey Code of Conduct By-Law, 1994, No. 12196".

PASSED THREE READINGS by the Council of the City of Surrey on the 28th day of February, 1994.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 7th day of March, 1994.

"R.J. BOSE" MAYOR

"D.B. KENNY" CLERK

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APPENDIX C

Surrey Code of Conduct By-law, 1994, No. 12196 is amended as follows:

The following is added to Section 1 "Definitions":

"Council" means the elected Council of the City.

"lobby or lobbying" means direct or indirect efforts to solicit support and influence government decisions on behalf of another party or organization with remuneration.

"lobbyist" means an individual who undertakes to lobby on behalf of a client or an employer.

Section 3(a) is amended by adding the following:

- (v) communicate with lobbyists during a contractual bid or request for proposals process, other than through a designated person who answers questions concerning the request for proposals or bid;

The following new section 3(1) is added:

- Conduct
 - (i) Lobbyists must conduct themselves with integrity and honesty when dealing with officers, employees and members of Council and observe the highest ethical and professional standards,
- Identity and Purpose
 - (ii) Lobbyists shall disclose the identity of the person or organization on whose behalf the representation is made, as well as the reasons for the approach,
- Accurate Information
 - (iii) Lobbyists shall provide information that is accurate and factual to officers, employees and members of Council. Moreover, lobbyists shall not knowingly mislead anyone and shall use proper care to avoid doing so inadvertently,
- Improper Influence
 - (iv) Lobbyists shall not place an officer, employee or member of Council in a conflict of interest by proposing or undertaking any action that would constitute an improper influence on an officer, employee or member of Council;

APPENDIX D

V. Lobbyist Registry Implementation Issues and Recommendations for the City of Toronto:

(a) City Authority, Court Cases and Previous Experience with a Lobbyist Registry:

In sections I, II and III of this report, it has been shown based on legislation, court cases and previous municipal experience level that:

- (i) Ontario municipalities lack the legal authority to enact and enforce an effective lobbyist registration policy;
- (ii) a lobbyist registry system would be extremely difficult to administer at the municipal level (concurring in by the Office of the provincial Integrity Commissioner); and
- (iii) the City of Toronto has taken significant steps in implementing policies and standards to manage lobbyists within the limits of its authority.

It should also be noted that the provincial and federal Acts have enforcement provisions far stronger than those which apply to a by-law enacted under the *Municipal Act*. Both of these Acts have fine provisions of up to \$25,000.00 instead of the \$5,000.00 that applies to most municipal by-law offences under the *Provincial Offences Act*. The provincial Act also has a special offence provision for when a consultant lobbyist knowingly places the public office holder in a position of real or potential conflict of interest. Since the City cannot implement similar measures, questions arise about the degree of compliance lobbyists will feel compelled to exercise. Among other factors, weak enforcement authority calls into question the effectiveness of a City registry.

(b) Costs Associated with Implementing a Lobbyist Registry System:

There is a significant cost associated with implementing an effective Lobbyist Registry system modelled on the provincial system in order to:

- (i) list all persons and firms paid (and, in some cases unpaid) to lobby;

- (ii) provide public access to the registry of lobbyists, their clients and their respective issues;
- (iii) provide information respecting those seeking to influence government decision-making;
- (iv) offer ease in capturing rapidly changing statistics and data on lobbyist activity; and
- (v) tailor technology for the City, and recruit/place management, technical and support staff.

Estimated System Cost:

The provincial system is 100 percent filed on-line and manual filing is permitted (for a fee). On-line capabilities include a pre-registration process to validate each user and provide them with a user id and password, a registration system, and access to the website. The Lobbyist Registrar has the on-line capability to amend, send back to the user, reject, designate as needing further information before approval will be given, or, give approval, to registrations. Registration users upon submission have access limited to a "read only" capability. Once approved, the system automatically generates an e-mail that is sent to the registrant lobbyist acknowledging approval. The system also generates reminders to the Registrar on a daily basis respecting renewal times, registrations due in one-week, and upcoming 'delinquent' registrations. Notices for all these reminders are also automatically sent to the effected lobbyists. For office purposes only, the system provides sections at the bottom of each registration for comments and for history (starting, submission, editing and approval dates). For lobbyist firms, the system allows one member of the firm to access all the registrations from that firm in order to maintain and track multiple registrations for the same client, and provide case management.

Based on preliminary consultation, the cost to develop a Lobby Registry system is estimated at a minimum of \$50,000.00. This assumes customization of a system based generally on the provincial system. Assessment is needed to determine compatibility with the City information technology platform and applicability to City operations. In addition, the ongoing monthly hosting cost is likely to be in the range of \$1,500.00 per month, or, at least \$18,000.00 per annum, for a minimum total of about \$70,000.00 system start-up and operation in the first year.

Estimated Staffing, Equipment and Other Costs:

At a minimum, staffing required to establish a City Lobbyist Registry will include a Registrar, a technical administrator and a clerical support person. It is assumed based on provincial job descriptions that the City could likely absorb within the existing staff establishment up to one-half of the clerical support and possibly the technical/systems administrator functions required, but the Registrar would be a

new, full-time City position under the City Clerk. This assumption is based upon the availability of a comparable automated, on-line system as that possessed at the province cuts-down considerably on staff time required to operate a lobbyist registry.

Review and refinement would be required at, approximately, three-month intervals during the design and early implementation stages. Cost estimates could change over time depending upon reliance upon a manual and paper-driven system before achieving a fully automated system. Some partial cost-recovery is assumed for registrations by paper/fax rather than electronically (subject to compliance with the *Municipal Act* general fee and charges provision) but it is not possible to estimate the extent of this before experiencing the actual volume of registrations.

Additional resourcing is likely to include occasional independent legal advice, as well as systems development involving in-house and contracted specialists. In-house support from Corporate Communications and possibly externally as well, would be needed for public communications and ongoing information for registrant lobbyists/organizations. At a minimum, it is estimated that salaries and benefits for a functional City Lobbyist Registry would be \$150,000.00. Total staff/resourcing costs could be up to \$225,000.00 per year taking into account the above factors.

Estimates for computer and photocopier equipment (possibly shared with other City functions), as well as software and office space in City Hall are estimated at a minimum of \$60,000.00 based on comparisons with provincial operations.

In summary, total costs to the City in its start-up year are estimated at up to \$360,000.00, with ongoing annual costs estimated at up to \$300,000.00. These costs would be incorporated into the operating program budget of the City Clerk, including \$160,000.00 for the year 2003.

It is, therefore, recommended that due to limitations on municipal authority and legal, administrative and cost difficulties respecting implementation, Council not establish a lobbyist registry at this time.

It is also recommended that the City continue to rely upon external industry and association policies, regulations and laws governing lobbyists and its own policies such as the Code of Conduct for Council Members and the Lobbying Disclosure Policy for Certain Competitive Calls since the information collected is very similar to that collected by the provincial Lobby Registry.

(c) Applying Federal/Provincial Lobbyist Definitions and Procedures:

It is assumed, given the Council reference to the City implementing a registry based on the federal and provincial models, that the proposed City Lobbyist Registry is not intended to be limited to procurement matters. At the municipal level, attempting to put in place definitions and operations to distinguish between lobbying to influence the outcome of a Council/Committee matter, as opposed to

seeking information or conducting routine business, is not straightforward. The nature and volume of City business and the democratic process by which the public has access to elected officials and civic staff, requires significant administration for data collection, accuracy, follow-up, inquiries and publication.

At the municipal level, there would be a substantial increase in the number of matters over those at the provincial level that would technically fit into the provincial definition of lobbying. There are significant operational differences in a municipality from those in provincial and federal governments. The question arises, at the municipal level, as to how to clearly present rules respecting lobbying whom about what? This is because, unlike the Province, there are agents/lobbyists interacting regularly on behalf of clients on a myriad of City matters ranging from, for example, street vending permits, to re-zoning applications, to the issuance of licenses.

Attached as Appendix 5, is a first draft of a City lobbyist registration by-law based on the provincial (paid) lobbyist legislation. Ultimately, the success of procedures to deal with lobbyists will be dependent upon individuals' understanding of acceptable legal and ethical behaviours. However, in order to comply with the directive of Council, the provincial definition of "lobby" has been modified in § 140-1A of the draft by-law to apply to the City. At present, the City category "volunteer lobbyist" (i.e. unpaid) is not included in the draft by-law.

It is, therefore, recommended that if Council decides to proceed with a by-law similar to that contained in Appendix 5 to this report, the City Clerk and Commissioners be consulted to ensure an effective City lobbyist registry that will address the applications, procedures and functions likely to attract a high degree of lobbyist activity, as well as be consistent with provincial and federal principles for the registration process.

It is also recommended that if Council approves a City Lobbyist Registry operation, then the 2003 Operating Budget of the City Clerk include \$160,000.00 for system development and partial-year salary and benefits.

It is further recommended that after consultation with the Clerk and Commissioners, the Chief Administrator and City Solicitor report to Administration Committee on a final form lobby registry by-law.

APPENDIX E

CITY OF SAN DIEGO CY 2006 LOBBYIST REGISTRATION FORM

Type or Print in Ink. Complete both sides. File Original with City Clerk.

Check Box if an Amendment

• If this is an Initial Registration, enter
DATE QUALIFIED as a Lobbyist: _____

• Amount of Registration Fees due with Registration
(see SDMC Section 27.4010): _____

For Official Use Only

**NOTE: REGISTRATION
TERMINATES EVERY JAN. 5.
ANNUAL RE-REGISTRATION
IS REQUIRED.**

FULL NAME OF LOBBYIST: _____

BUSINESS PHONE NUMBER: _____

BUSINESS ADDRESS: (Number and Street) (City) (State) (ZIP)

MAILING ADDRESS: (If different from above) _____

LOBBYIST'S EMPLOYER (IF APPLICABLE): _____

BUSINESS PHONE NUMBER: _____

EMPLOYER'S BUSINESS ADDRESS: (Number and Street) (City) (State) (ZIP)

NATURE AND PURPOSE OF EMPLOYER'S BUSINESS: _____

CHECK ONE BOX, and FILL OUT "CLIENT DISCLOSURE" INFORMATION (CC-1645a) FOR EACH ENTITY YOU ARE REGISTERING:

- I am employed by the entity named above to lobby on behalf of that entity only, and therefore am required to pay a "client fee" for that entity. Also, I have completed CC-1645a to disclose information about this entity.
- I am employed by the entity named above to lobby on behalf of clients other than that entity, and therefore am not required to pay a "client fee" for that entity. Also, I have completed CC-1645a to disclose information about each client on whose behalf I will be lobbying.

VERIFICATION

By signing the verification below, I certify that I have reviewed and understand the requirements of Division 40, "Municipal Lobbying," of the San Diego Municipal Code.

I have used all reasonable diligence in preparing this Registration. I have reviewed this Registration and to the best of my knowledge the information contained herein is true and complete.

I verify under penalty of California perjury laws that the foregoing is true and correct.

Executed on _____ at _____
(date) (city and state)

By _____
(signature of lobbyist)

LOBBYIST REGISTRATION FORM Name of Lobbyist: _____
page 2

CLIENT DISCLOSURE - See SDMC Section 27.4010 for fee information

CLIENT'S NAME: _____ BUSINESS OR MESSAGE PHONE NUMBER: _____

CLIENT'S BUSINESS OR MAILING ADDRESS: (Number and Street) (City) (State) (ZIP) _____

NATURE AND PURPOSE OF CLIENT'S BUSINESS: _____

MUNICIPAL DECISION(S) FOR WHICH LOBBYIST WAS RETAINED TO REPRESENT CLIENT: (If no specific item(s) of Municipal Decision can be identified, describe type(s) of Municipal Decision for which Lobbyist was retained to represent Client.) _____

CLIENT'S NAME: _____ BUSINESS OR MESSAGE PHONE NUMBER: _____

CLIENT'S BUSINESS OR MAILING ADDRESS: (Number and Street) (City) (State) (ZIP) _____

NATURE AND PURPOSE OF CLIENT'S BUSINESS: _____

MUNICIPAL DECISION(S) FOR WHICH LOBBYIST WAS RETAINED TO REPRESENT CLIENT: (If no specific item(s) of Municipal Decision can be identified, describe type(s) of Municipal Decision for which Lobbyist was retained to represent Client.) _____

CLIENT(S) TO BE DELETED FROM LOBBYIST'S REGISTRATION (check "Amendment" box on p. 1 of form):

NAME: _____

NAME: _____

If more space is needed, check box and attach continuation sheet(s).

LOBBYIST REGISTRATION FORM Name of Lobbyist: _____
page 3

CLIENT DISCLOSURE - See SDMC Section 27.4010 for fee information

CLIENT'S NAME: _____ BUSINESS OR MESSAGE
PHONE NUMBER: _____

CLIENT'S BUSINESS OR MAILING ADDRESS: (Number and Street) (City) (State) (ZIP) _____

NATURE AND PURPOSE OF CLIENT'S BUSINESS: _____

MUNICIPAL DECISION(S) FOR WHICH LOBBYIST WAS RETAINED TO REPRESENT CLIENT: (If no specific item(s) of
Municipal Decision can be identified, describe type(s) of Municipal Decision for which Lobbyist was retained to represent Client.)

CLIENT'S NAME: _____ BUSINESS OR MESSAGE PHONE
NUMBER: _____

CLIENT'S BUSINESS OR MAILING ADDRESS: (Number and Street) (City) (State) (ZIP) _____

NATURE AND PURPOSE OF CLIENT'S BUSINESS: _____

MUNICIPAL DECISION(S) FOR WHICH LOBBYIST WAS RETAINED TO REPRESENT CLIENT: (If no specific item(s) of
Municipal Decision can be identified, describe type(s) of Municipal Decision for which Lobbyist was retained to represent Client.)

CLIENT(S) TO BE DELETED FROM LOBBYIST'S REGISTRATION (check "Amendment" box on p. 1 of form):

NAME: _____

NAME: _____

If more space is needed, check box and attach continuation sheet(s).