

City Council Workshop Discussion – Lobbying

January 15, 2019

Requested Council Action

To discuss and decide if there is a need to regulate lobbyists and lobbying activities in San Marcos and provide direction to staff

Prior Council Discussion and Direction

- On March 20 2018, the City Council discussed the ERC's recommendations concerning lobbying
- Council told staff to bring the matter back for further discussion in January of 2019 to determine if there is a need to regulate lobbying in San Marcos and provide direction regarding any additional work to be done on a draft ordinance

ERC's Recommendations - Lobbying

Key Terms Defined:

Lobbying – oral, written, or electronic communication with a city official, employee, or staff member to influence a municipal decision on behalf of the lobbyist himself, or on behalf of another person or entity

Includes: attempts to adopt or defeat adoption of an ordinance or resolution, to gain the award of a contract or approval of a land use/land development application

Lobbying Regulations (continued)

Excluding: communications regarding homestead property; family matters that are not business related; matters not involving financial benefit or detriment

Lobbyist – any person, including an attorney, who engages in lobbying on behalf of his/her principal, employer, or the owner of a business. Both the lobbyist and the principal would be subject to proposed registration and reporting requirements

Lobbying Regulations (continued)

Registration – required; failure to register can delay city's award of contract or land use decision until registration occurs

Activity Reports:

- required to be filed for each two month period
- include the name of the client, list of issues, matters or decisions
- names of city officials or employees contacted
- dollar amount of each gift, benefit or expenditure conferred on a city official in excess of \$50 or in a cumulative amount greater than \$200 per reporting period
- setting annual limit of \$500 on meals or gifts to a city official

Lobbying Regulations (continued)

Violations and Enforcement:

- complaints regarding lobbying violations would be heard by the ERC
- repeated violations – three violations within a five year period – results in suspension for one year
- could also result in municipal court prosecution

Q&A

- Questions?
- Direction to Ethics Review Commission and staff?