



### CITY COMMISSION AGENDA REQUEST



DATE May 20, 1993

SUBJECT Disclosure of Representation Policy

AMOUNT N/A

SOURCE \_\_\_\_\_

OMB \_\_\_\_\_

- Bid/Contract/Lease
- Change Order
- Budget Transfer/Suppl. Approp.
- Status Report
- Policy/Discussion
- Other (Specify): \_\_\_\_\_

REQUEST ACTION ON: May 26, 1993

#### HISTORY

In 1991, the Commission indicated a desire to consider measures that would ensure that paid representatives of persons and firms were properly disclosing this representation when addressing the Commission as a body or when discussing issues with individual Commissioners. As a result, the City Attorney's office conducted research to determine the number of cities in the state that had enacted a "Lobbyist Registration Ordinance." The City Commission did not consider enacting this requirement after the initial research was done, primarily because the incidences which had generated the interest appeared to be erratic and not judged to be an ongoing problem.

In 1992, Mayor Hightower expressed an interest in revisiting this issue, and the City Attorney's office updated the information provided in 1991. The survey revealed that although a lobbyist registration ordinance had been enacted in the four largest municipalities in the state, these ordinances varied both in complexity and administrative requirements depending on the perceived amount of lobbying that was occurring in each city. In order to receive public input, the City Commission introduced an ordinance that would establish a system of registering and tracking lobbyists. After receiving public testimony and analyzing potential problems, the Commission determined that the few incidences in which a paid representative had not disclosed the person(s) or firm he was representing could have been avoided by strengthening procedures used when speakers appear at City Commission meetings. In order to ensure the continued high ethical standards of the City, the Commission determined it would be appropriate to adopt a policy requiring persons to disclose their client relationships when "lobbying" on behalf of another for compensation, and directed the Treasurer-Clerk and City Attorney to draft such a policy.

#### FACTS AND ISSUES

The proposed policy (Attachment A) requires persons appearing before the Commission to fully disclose any relationship with any persons he or she is representing for compensation in regard to the subject issue. When announcing the speaker during the meeting, the City Treasurer-Clerk will also announce the parties being represented by the speaker so everyone will have the benefit of this information.

RECOMMENDED ACTION: Approve Option 1

*Paula Cook*

Department Head

*Robert B. Vinyard*

City Treasurer-Clerk

**FACTS AND ISSUES (continued)**

Citizens will be advised of this policy through a revised speaker appearance form (Attachment B). The instructions have been expanded to include information about the policy as well as expanded general instructions regarding appearing before the Commission. Additionally, the form will be in two parts such that speakers will retain the instruction sheet after completing their form. Currently the instructions are on the speaker form and not available for review by the speaker after submitting the request. Adoption of the staff's recommendation will include use of the revised speaker form.

Staff feels that the problem of speakers not disclosing the parties they are representing is not judged to be significant enough to warrant more restrictive measures at this time. Staff will continue to monitor overall compliance with the disclosure requirement. To the extent the policy is judged to be ineffective after a period of use, staff will present additional recommendations for strengthening this requirement for Commission consideration.

**OPTIONS**

1. Adopt the proposed policy on Disclosure of Representation
2. Modify the proposed policy on Disclosure of Representation
3. Take no action

**RECOMMENDATIONS**

Approve Option 1.