



CITY MANAGER'S OFFICE

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CITY COUNCIL STAFF REPORT

Meeting: February 16, 2021

Subject

Consider and act on Ordinance No. 21-2222: "An Ordinance of the City Council of the City of Cupertino Adding Chapter 2.100 ("Regulation of Lobbying Activities") to Title 2 ("Administration and Personnel") of the Cupertino Municipal Code"

Recommended Action

Conduct the second reading and enact Ordinance No. 21-2222: "An Ordinance of the City Council of the City of Cupertino Adding Chapter 2.100 ("Regulation of Lobbying Activities") to Title 2 ("Administration and Personnel") of the Cupertino Municipal Code," which includes a finding that adoption of the ordinance is exempt from the California Environmental Quality Act.

Discussion

On February 2, 2021, City Council considered the draft ordinance to regulate lobbying. Council made changes to incorporate reporting requirements from San Jose's ordinance that require lobbyists to disclose (1) campaign contributions that a lobbyist made or delivered to City officials and candidates, (2) campaign contributions made at the behest of City officials or candidates, (3) independent expenditures which support a particular result in an election, (4) fundraising activity for any City official or candidate, (5) donations to nonprofit or for-profit organizations made at the behest of City officials or candidates, (6) lobbyist contacts with City officials or City officials-elect, and (7) any payments to or directly benefiting City officials, City officials-elect, and their immediate families. Council also changed the frequency of lobbyists' required reports from twice a year to four times a year. These changes are shown in the redline draft ordinance in Attachment B. Minor clerical and typographical corrections were made as well. Attachment A is the final version of the ordinance, with these changes included.

Sustainability Impact

No sustainability impacts.

Fiscal Impact

The proposed ordinance allows the City to investigate and audit lobbying activity within its jurisdiction and the lobbyists' registration and client fees would cover those regulatory costs. Further analysis and program development will be conducted to determine an appropriate fee for costs related to the administration of the lobbyist registration, report submittal, and administrative enforcement that will be brought before the Council during the annual fee schedule update in April.

Prepared by: Katy Nomura, Assistant to the City Manager

Approved for Submission by: Dianne Thompson, Assistant City Manager

Attachments:

A – Draft Ordinance Regulating Lobbying Activity

B – Draft Ordinance Regulating Lobbying Activity - Redline