



LOBBYING GUIDE

City of Anaheim

Office of the City Clerk

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Introduction

Overview

On August 15, 2017, the City Council of the City of Anaheim adopted Ordinance No. 6417, which became effective on September 14, 2017. This ordinance includes a “Sunshine” provision to increase transparency in government operations.

In order to provide complete public disclosure of the activities and financing of lobbyists seeking to influence Anaheim officials, Ordinance No. 6417 establishes a lobbyist registration program. This program requires an individual or entity who receives compensation of \$500 or more in a calendar month for lobbying in the City of Anaheim or any regional agency in which Anaheim has a voting role must register with the City Clerk as a lobbyist.

This guide will lead you through the registration process, serve as a reference when completing the various lobbying forms, and will be periodically updated to reflect any changes in the program.

The Lobbyist Registration Program is maintained by the Office of the City Clerk. Should you have any additional questions, you may contact (714) 765-5166.

Frequently Asked Questions (FAQs)

Who is a “Lobbyist?”

“Lobbyist” means any individual, entity or organization that receives or becomes entitled to receive five hundred dollars (\$500) or more in consideration in a calendar month, other than reimbursement for reasonable travel expenses, to communicate, directly or through his or her agents, with any elective or appointed official, for the purpose of influencing legislative or administrative action of the City of Anaheim or any regional agency that has regulatory oversight, authority or jurisdiction over the City of Anaheim.

What is “Lobbying?”

“Lobby” or “Lobbying” mean performing services, for compensation, for the purpose of influencing legislative or administrative action.

What is a “Lobbying Firm?”

“Lobbying Firm” means any entity or organization, including an individual who engages in lobbying activities, which meets either of the following criteria:

- (1) the entity or organization receives or becomes entitled to receive any compensation, other than reimbursement for reasonable travel expenses, for the purpose of influencing legislative or administrative action on behalf of any other person, and any partner, owner, officer, or employee of the entity or organization is a Lobbyist; or
- (2) the entity or organization receives or becomes entitled to receive any compensation, other than reimbursement for reasonable travel expenses, to communicate with any elective official, agency official, or legislative official for the purpose of influencing legislative or administrative action on behalf of any other person or organization, if a regular portion of the activities for which the entity or organization receives compensation is for the purpose of influencing legislative or administrative action.

What is a “Legal or Administrative Action?”

“Legal or Administrative Action” means a public policy decision of a discretionary nature pending before the City or any regional agency in which the City has a voting role, including but not limited to proposed action, or proposals for action, in the form of ordinances, resolutions, motions, recommendations, reports, regulations, policies, nominations, appointments, sanctions, and bids, including the adoption of specifications, awards, grants, or contracts.

Who is a “City Official?”

“City Official” means the Mayor, members of the City Council, and the members of the Executive Team.

Who is the “Executive Team?”

“Executive Team” means the City Manager, Assistant City Manager, Deputy City Manager, City Attorney, City Clerk, City Treasurer, Police Chief, Fire Chief, Public Utilities General Manager, and the Directors of Community and Economic Development, Community Services, Convention, Sports and Entertainment, Finance, Human Resources, Planning and Building and Public Works

Who is a “Client?”

“Client” means any person on whose behalf lobbying is conducted. In the case of a coalition or association that

employs or retains persons to conduct lobbying activities, the client is the coalition or association and not its additional members.

Who is Not Considered a Lobbyist?

1. A public official acting in his or her official capacity;
2. Any newspaper or other regularly published periodical, radio or television station (including any individual who owns, publishes, or is employed by any such newspaper or periodical, radio or television station) which in the ordinary course of business publishes news items, editorials or other comments, or paid advertisements, which directly or indirectly urge action upon municipal legislation, if such newspaper, periodical, radio or television station or individual engages in no further or other activities in connection with action upon such municipal legislation;
3. A person invited by the City Council or any of its committees, or by any board or commission, or any committee of a board or commission, or by any officer or employee of the City charged by law with the duty of conducting a hearing and making a decision as to a pending or proposed matter, for the purpose of giving testimony to aid the body or person extending the invitation;
4. A person applying for a grading permit or for a permit relating to the construction, alteration, demolition or moving of a building, or to a person filing a parcel map or subdivision tract map; provided, however, that if a person meets the definition of a Lobbyist and takes an appeal, or represents a person taking an appeal, pursuant to any procedure or authority provided by law from an administrative determination made with respect to such an application or map, they shall be required to register as provided in Section 1.11.070 upon taking the appeal or any action relating to the appeal;
5. A person who is a professional licensed by a state licensing organization, including, but not limited to, attorneys, architects and engineers; provided however, that the exemption for attorneys shall only apply if the attorney is engaged in the practice of law with respect to the subject of the employment; or
6. A regular employee of an organization communicating to the City during the course of his or her employment on behalf of his or her employer.

Forms

Types of Forms

Lobbyist Registration Form is used to register as a lobbying firm/lobbyist for the first time with the City of Anaheim.

Lobbyist's Quarterly Report of Activity is required to disclose any lobbying of the City of Anaheim or any regional agency in which Anaheim has a voting role during this reporting period on a quarterly basis. Forms are due on the last day of each quarter.

Lobbyist Amendment Form is filed within ten (10) calendar days of adding/deleting lobbyists/clients, or modifying information.

Notice of Termination is required to remove an entire lobbying firm, its lobbyists and clients from the City's lobbyist registry.

Schedule A (Lobbyist Information) is a supplemental form that is used when listing additional lobbyists during the new registration process.

Schedule B (Client Information) is a supplemental form that it used when listing additional clients during the new registration process.

Schedule C (Client Disclosure) is completed for each client to report any form of communication by the Lobbying Firm or its employees, representatives, or agents with any city official or staff during the reporting period.

Schedule D (Campaign Contributions) is used to report any amount of contribution made during the reporting period to the Mayor or any City Council member by the Lobbying Firm or its employees, representative, or agents.

New Registration

All Lobbyists must register with the Office of the City Clerk within fifteen (15) days of lobbying the City of Anaheim or any regional agency in which Anaheim has a voting role by completing a Lobbyist Registration Form, which is available at the Office of the City Clerk, or on the City of Anaheim website.

Forms Needed
1. Lobbyist Registration Form
2. Schedule A – Lobbyist Information
3. Schedule B – Client Information

New Registration Process

1. Complete **Lobbyist Registration Form**.
 - a. At the top, list the date you qualified as a lobbyist.
 - b. Complete all fields in *Part I – Lobbyist Information*.
 - i. If you are listing additional lobbyists employed by the lobbying firm, be sure to complete the **Lobbyist Information – Schedule A** form. If more space is needed, check the box at the bottom of Schedule A and attach the additional pages. Note: Provide the business address(es) for additional lobbyist(s) if they are different from the lobbying firm’s address.
 - c. Complete all fields in *Part II – Client Information* to add a client that your lobbying firm is representing.
 - i. For more information regarding the definition of “Legislative or administrative action(s),” refer to the Frequently Asked Questions (FAQs) section on Page 2 of this guide.
 - ii. If you are adding more than one client, be sure to complete the **Client Information – Schedule B** form. If more space is needed, check the box at the bottom of Schedule A and attach the additional pages.
 - d. Read the *Verification* section on the bottom of the page, print your name, list the name of your lobbying firm (if any), and the date. Sign by using the electronic signature option (red arrow on the top right of the signature box), or by printing the form and signing with a pen (black or blue ink).
2. Submit completed **Lobbyist Registration Form** and if applicable, **Schedule A and/or B**.

Amendments

Additions and/or deletions of lobbyists and clients, as well as modifications to contact information previously provided require the lobbying firm to file an amendment

with the City of Anaheim. This filing is due within (ten) 10 calendar days of any change in information.

Forms Needed
1. Lobbyist Amendment Form

Adding, Deleting, and Amending Process

1. Complete the **Lobbyist Amendment Form**
 - a. Complete *Part I – Lobbyist Information*
 - i. If updating information in this section, provide the new information and check the “Modify” box at the top right corner.
 - b. Complete *Part II – Lobbyist Information* if adding/deleting additional lobbyists, or modifying previously provided information. If more space is needed, check the box above the *Verification* section and attach the additional pages.
 - i. To add a new lobbyist, provide the requested contact information and check the “Add” box to the left.
 - ii. To delete a current lobbyist, provide the requested information and check the “Delete” box to the left.
 - iii. To update a current lobbyist’s information provide the new information requested and check the “Modify” box to the left.
 - iv. List the total number of lobbyists added, deleted, or amended in the space provided at the top of this section. Be sure to include any of the additional lobbyists you listed on your duplicate sheets, if necessary.
 - c. Complete *Part III – Client Information* if adding/deleting additional clients, or modifying previously provided information. If more space is needed, check the box above the *Verification* section and attach the additional pages.
 - i. To add a new client, provide the requested contact information and check the “Add” box to the left.

- ii. To delete a current client, provide the requested information and check the “Delete” box to the left.
 - iii. To update a current client’s information provide the new information requested and check the “Modify” box to the left.
 - iv. List the total number of clients added, deleted, or modified in the space provided at the top of this section. Be sure to include any of the additional clients you listed on your duplicate sheets, if necessary.
- d. Read the *Verification* section on the bottom of the page, print your name, list the name of your lobbying firm (if any), and the date. Sign by using the electronic signature option (red arrow on the top right of the signature box), or by printing the form and signing with a pen (black or blue ink).

2. Submit completed **Lobbyist Amendment Form** and if applicable, any **duplicate forms**.

Quarterly Reporting

After each quarter (please see below for deadlines), lobbyists are required to file a report with the Office of the City Clerk disclosing any lobbying of the City of Anaheim or any regional agency in which Anaheim has a voting role. If the lobbyist did not engage in any lobbying activities during the reporting quarter, it must be indicated on the Lobbyist’s Quarterly Report of Activity.

Deadlines

1st Quarter (January 1 – March 31)	Due April 30
2nd Quarter (April 1 – June 30)	Due July 31
3rd Quarter (July 1 – September 30)	Due October 31
4th Quarter (October 1 – December 31)	Due January 31

Forms Needed
1. Lobbyist’s Quarterly Report of Activity
2. Client Disclosure – Schedule C
3. Campaign Contributions – Schedule D

Process for Lobbyist Quarterly Reporting

1. Complete **Lobbyist’s Quarterly Report of Activity** form.
 - a. Complete *Part I – Lobbyist Information*
 - b. Complete *Part II – Reporting Schedules*
 - i. If you did not participate or engage in any form of lobbying during the reporting period, check the “No Lobbying Activity” box, and **do not attach Client Disclosure – Schedule C**.
 - ii. If you participated in any form of lobbying of the City of Anaheim or any regional agency in which Anaheim has a voting role during this reporting period, check the “Schedule C” box and attach **Client Disclosure – Schedule C**.
 - iii. If you made any contributions during the reporting period to the Mayor or any City Council Member, check the “Schedule D” box and attach **Campaign Contributions – Schedule D**.
 - c. Read the *Verification* section on the bottom of the page, print your name, list the name of your lobbying firm (if any), and the date. Sign by using the electronic signature option (red arrow on the top right of the signature box), or by printing the form and signing with a pen (black or blue ink).
2. Submit completed **Lobbyist’s Quarterly Report of Activity** and, if applicable, **Schedule C and/or D**.

Termination

A Notice of Termination removes an individual lobbyist and all their clients, **or** a lobbying firm, all its lobbyists and clients from the City’s lobbyist registry. A new Lobbyist Registration Form shall be completed to participate in any future lobbying of the City of Anaheim or any regional agency in which Anaheim has a voting role. In addition, a Lobbyist’s Quarterly Report of Activity must be submitted with the Notice of Termination, even if the termination occurs before the end of the quarter.

The difference between the Notice of Termination versus the Lobbyist Amendment Form, is that the Notice of Termination is used to remove all lobbyists/clients from the City’s lobbying registry, while the Lobbyist Amendment Form is to remove individual lobbyists/clients, but still keeping the remaining ones in the lobbyist registry.

Forms Needed
<ol style="list-style-type: none"> 1. Notice of Termination 2. Lobbyist’s Quarterly Report of Activity 3. Client Disclosure – Schedule C (if needed) 4. Campaign Contributions – Schedule D (if needed)

Termination Process

1. Complete the **Notice of Termination**.
 - a. Check the “Lobbying Firm” box if you are a lobbying firm that is removing all lobbyists and clients from the City’s lobbyist registry; or check the “Individual Lobbyist” box if you are a single lobbyist that is not part of a lobbying firm and is removing him or herself, and all clients from the City’s lobbyist registry.
 - b. Complete the *Terminating Lobbyist Information* section.
 - c. Read the *Verification* section on the bottom of the page, print your name, list the name of your lobbying firm (if any), and the date. Sign by using the electronic signature option (red arrow on the top right of the signature box), or by printing the form and signing with a pen (black or blue ink).
2. Complete **Lobbyist’s Quarterly Report of Activity**, and, if applicable, **Schedule C and/or D**.
3. Submit completed **Notice of Termination** and **Lobbyist’s Quarterly Report of Activity**, and, if applicable, **Schedule C and/or D**.

Schedules

Lobbyist Information – Schedule A

Complete **Lobbyist Information - Schedule A** when listing additional lobbyists who will be engaging in lobbying activity on behalf of the lobbying firm’s clients. This form may be duplicated for additional entries.

1. List the lobbying firm name (if applicable) at the top right corner of the form.

2. Provide the business contact information for each lobbyist
 - a. If the lobbyist’s business address is the same as the lobbying firm’s address, check the box provided.
 - b. If more space is needed, check the box at the bottom of the page and attach the additional pages.
3. Attach this form to the **Lobbyist Registration Form**.

Client Information – Schedule B

Complete **Client Information - Schedule B** when listing additional clients on whose behalf lobbying is conducted. This form may be duplicated for additional entries.

1. List the lobbying firm name (if applicable) at the top right corner of the form.
2. Provide the business contact information for each client
3. Attach this form to the **Lobbyist Registration Form**.

Client Disclosure – Schedule C

Complete **Client Disclosure – Schedule C** when reporting any lobbying by the lobbying firm/lobbyist of the City of Anaheim or any regional agency in which Anaheim has a voting role during this reporting period. This form may be duplicated for additional entries.

1. Check the applicable reporting period.
2. In *Part I – Client Information* provide the client’s business contact information.
 - a. At the top right corner, provide the total compensation the lobbyist received from the client
3. *Part II – Client Disclosure* contains two sections:
 - a. *Section A*. – For more information regarding the definition of “Legislative or administrative action(s),” refer to the FAQs section on Page 2 of this guide.
 - b. *Section B*. – Provide the requested information for each individual situation where the lobbying firm/lobbyist engaged in any form of lobbying of the City of Anaheim or any regional agency in which Anaheim has a voting role.
4. Attach this form to the **Lobbyist Quarterly Report of Activity**.

Campaign Contributions – Schedule D

Complete **Campaign Contributions – Schedule D** to report any campaign contributions made to the Mayor or any City Council Member by the lobbying firm/lobbyist. This form may be duplicated for additional entries.

1. Check the applicable reporting period.
2. In *Part I – Campaign Contributions*, provide all the requested information.
 - a. If more space is needed, check the box at the bottom of the page and attach the additional pages.
3. Attach this form to the **Lobbyist Quarterly Report of Activity**.

Fees

There are currently no lobbyist registration fees in the City of Anaheim. Fees will be determined at a later date.

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