



# LOBBYING GUIDE

**City of Anaheim**

**Office of the City Clerk**  
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## City of Anaheim

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### Introduction

[Chapter 1.11](#) (Sunshine Provisions) of the Anaheim Municipal Code (AMC) was adopted to increase transparency in government operations. Section 1.11.070 of the (AMC) (Lobbyist Registration, Reporting, and Regulation) include provisions regarding public disclosure of the activities of individuals who influence Anaheim officials, creating the Lobbyist Registration Program. This program requires individuals who either 1) receive compensation or entitled to receive \$500 or more in a calendar month for lobbying the City of Anaheim, or any regional agency in which Anaheim has a voting role; or 2) is employed or contracted for a role that includes influencing legislative or administrative action as a substantial or regular portion of the employment or contract, must register with the City Clerk as a lobbyist. This guide will lead you through the initial and annual registration process, serve as a reference when completing and amending lobbying forms, and will be periodically updated to reflect any changes in the program.

Should you have any additional questions, you may contact the Office of the City Clerk at (714) 765-5166.

### Definitions

#### Who is a “Lobbyist?”

“Lobbyist” means any individual, entity who either:

- (1) receives or becomes entitled to receive five hundred dollars (\$500) or more in a calendar month, other than reimbursement for reasonable travel expenses, to communicate, directly or through his or her agents, with any elected or appointed official of the City, member of the City Executive Team, a Legislative Body, board or commission of the City, 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; *OR*
- (2) is employed or contracted for a role that includes influencing legislative or administrative action as a substantial or regular portion of the employment or contract.

#### What is “Lobbying?”

"Lobby" or "Lobbying" means 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 “Influence (or Influencing) Legislative or Administrative Action?”

“Influence (or Influencing) Legislative or Administrative Action” means communicating directly with any elected or appointed official of the City, the staff, aides, or advisers of the Mayor or City Council, any member of the City Executive Team, a Legislative Body or any board or commission of the City, or taking any other action for the principal purpose of supporting, promoting, influencing, modifying, opposing, delaying, or advancing any legislative or administrative action.

## What is a “Legislative or Administrative Action?”

“Legislative or Administrative Action” means the drafting, introduction, consideration, modification, enactment, adoption, or denial of any ordinance, motion, or resolution under consideration by any elective or appointed official of the City, member of the City Executive Team, a City Legislative Body, any City board or commission, or any regional agency in which the City of Anaheim has a voting role, or the granting, award, approval, or denial of any contract, permit, land use entitlement, grant, license, or franchise by the City or any regional agency in which the City of Anaheim has a voting role.

## 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 Services, Convention, Sports and Entertainment, Economic Development, Finance, Housing and Community Development, 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 whose attempts to influence legislative or administrative action are limited solely to actions taken or services provided to a client as 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 legislative or administrative action the attorney seeks to influence;
6. Persons who submit competitive bids or respond to requests for proposals, provided the provision of such communications are limited to direct conversation or correspondence with the official or department specifically designated to receive such information. This exception shall not apply to direct communications with members of the City Council for the purpose of influencing a decision to award or deny a contract; or
7. Labor negotiators who are engaged in contract negotiations with the City regarding a collective bargaining agreement for City employees.

## Registration (Initial and Annual), Amending Lobbyist Registry, and Termination of Lobbyist

### Initial Registration

All Lobbyists must register with the Office of the City Clerk within **fifteen (15) calendar days** of the date of qualifying as a lobbyist, by completing a [Lobbyist Form](#), which is available at the Office of the City Clerk, or on the City of Anaheim website.

A [Lobbyist Form](#) must be completed for each Lobbyist of a Lobbying Firm who is lobbying with the City.

1. **Initial Registration:** On page 1 of the Lobbyist Form select “**Initial Registration**” and indicate the date qualified as a lobbyist.
2. **Section A – Lobbyist Information:** Complete with the individual lobbyist’s contact information.
3. **Section B – Client Information:** Add all clients on whose behalf lobbying is being conducted. Include the date of addition of the client and describe the legislative or administrative action(s) that the Lobbyist is seeking to influence on behalf of the client. If additional entries are required, include additional copies of Section B of the form.
4. **Verification:** Print name, list name of your lobbying firm (if any), sign and date.

## Annual Registration

All Lobbyists must renew their registration with the Office of the City Clerk by **January 15** of each year by completing a [Lobbyist Form](#), which is available at the Office of the City Clerk, or on the City of Anaheim website.

A [Lobbyist Form](#) must be completed for each Lobbyist of a Lobbying Firm who is lobbying with the City.

1. **Annual Registration:** On page 1 of the Lobbyist Form select “**Annual Registration**” and indicate the year.
2. **Section A – Lobbyist Information:** Update lobbyist’s contact information, if necessary.
3. **Section B – Client Information:** Update client information, if necessary. If additional entries are required, include additional copies of Section B of the form.
4. **Verification:** Print name, list name of your lobbying firm (if any), sign and date.

## Registration Fee (Initial and Annual)

Lobbyists are required to submit a Registration (Initial and Annual) fee of \$100.00. Fees are due with submission of the completed Lobbyist Registration (Initial and Annual) form and are payable to the City of Anaheim by check, money order, or debit/credit card (Visa or Mastercard).

## Amending Lobbyist Registry

Additions and/or deletions of clients, as well as modifications to lobbyist contact information previously provided requires the filing of an amendment by completing a [Lobbyist Form](#). The amendment is due within **(ten) 10 calendar days** of any change in information.

1. **Amendment:** On page 1 of the Lobbyist Form select “**Amendment**” and indicate the date of the amendment.
2. **Section A – Lobbyist Information:** Complete the individual lobbyist’s information. If the amendment is for the purpose of **modifying the Lobbyist contact information**, mark the corresponding box in Section A.
3. **Section B – Client Information:** Select the appropriate box to indicate if a client is being **added** to the Client Registry, **deleted** from the Client Registry, or if the client information is being **modified**. If additional entries are required, include additional copies of Section B of the form.
4. **Verification:** Print name, list name of your lobbying firm (if any), sign and date.

## Termination of Lobbyist Registration

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

1. **Termination:** On page 1 of the [Lobbyist Form](#) select “**Termination**” and indicate the date of termination.
2. **Section A – Lobbyist Information:** complete the individual lobbyist’s information.
3. **Verification:** Print name, list name of your lobbying firm (if any), sign and date.

# Quarterly Reporting

After each quarter, lobbyists are required to file a [Lobbyist’s Quarterly Report of Activity](#) 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, a report is still required indicating “No Lobbying Activity”.

## Deadlines

A [Lobbyist’s Quarterly Report of Activity](#) is to be filed with the Office of the City Clerk by 5 pm on the filing deadline date. If the due date falls on a weekend, the report will be due on the following business day.

	Period Covered	Filing Deadline
1 <sup>st</sup> Quarter	January 1 – March 31	April 30
2 <sup>nd</sup> Quarter	April 1 – June 30	July 31
3 <sup>rd</sup> Quarter	July 1 – September 30	October 31
4 <sup>th</sup> Quarter	October 1 – December 31	January 31

## Lobbyist Quarterly Report of Activity Form

1. **Reporting Period:** Select reporting period and enter year of reporting period.
2. **Lobbyist Information:** Complete the Lobbyist information on Page 1 of the form.
3. **Lobbyist Activity:** Check the corresponding box(s) for the Lobbyist Activity for the reporting period.
  - a. If you did not participate or engage in any form of lobbying during the reporting period, check the “**No Lobbying Activity**” box.
  - b. 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 “**Lobbying Activity/Client Disclosure Report**” box and complete **Schedule A – Client Disclosure**.
  - c. If you made any contributions during the reporting period to the Mayor and/or any member of the City Council, check the “**Campaign Contribution Report**” box and complete **Schedule B – Campaign Contributions**.
4. **Verification:** Print name, list name of your lobbying firm (if any), sign and date.

## Records Retention

Lobbyists are required to retain on file all business records relevant to any lobbying reported in the Quarterly Report for a period of not less than five years from the date the Quarterly Report is filed, and shall submit copies, or make original documents available, to the City Auditor upon request.

# Penalties

## Late Filing Penalty

A late filing penalty will be assessed for failing to file a timely Lobbyist Registration and Quarterly Reports of Activities. The late filing penalty is \$50.

## Criminal Penalties

Any person or entity that knowingly or intentionally:

- acts as a Lobbyist in the City without having registered
- fails to file the quarterly report
- files a quarterly report that contains inaccurate information or omits information required to be disclosed
- conceals or diverts compensation for Lobbying activity in order to avoid the requirements shall be guilty of a misdemeanor and subject to a maximum of six (6) months in jail and a fine of \$1,000.00

## Where to File

*Mail, Email or Fax to:*

Mail: **Office of the City Clerk  
200 S. Anaheim Blvd., Suite 217  
Anaheim, CA 92805**

Email: **Theresa Bass, City Clerk (tbass@anaheim.net)**

Fax: **(714) 765-4105**